CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND NINETEENTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 18 March 1999, at 10.15 a.m.

President: Mr. Nguyen Quy Binh (Viet Nam)

GE.99-60974 (E)

The PRESIDENT: I declare open the 819th plenary meeting of the Conference on Disarmament.

Allow me first, on behalf of all of us, to express our deep gratitude and appreciation to my predecessor, Ambassador Rodríguez Cedeño of Venezuela, who is absent today, for his relentless energy and diligence to conduct intensive consultations, and for his skilful and untiring efforts aimed at translating the agenda into a programme of work. I am also very grateful to Mr. Vladimir Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the United Nations Secretary-General, and Mr. Abdelkader Bensmail, Deputy Secretary-General of the CD, and to all the other staff of the secretariat for their able and indispensable support.

The immediate task we are faced with continues to be the one my two predecessors have been trying to resolve, namely, to develop consensus on the programme of work of the Conference. I hardly need to stress that we are about to conclude the first part of our annual session and go into a recess without having yet found an acceptable basis on which to start our substantive work. Therefore, determined efforts are urgently needed on the part of all of us to resolve the differences on the two outstanding issues, nuclear disarmament and the prevention of an arms race in outer space. In this regard, I can only reiterate what my predecessors said. There are a number of proposals on the table as to how to deal with those issues. Attempts were made by my predecessors to find compromise solutions to these issues. What is now required is for all of us to display the necessary flexibility which will allow us to move forward.

For my part, I have already embarked on a series of bilateral consultations with a view to ascertaining where we stand on these two issues, and exploring possible ways and means of promoting early consensus. I wish to assure you that I shall devote my full energy and attention to our common endeavour, particularly with regard to the achievement of a consensus programme of work that would enable us to move to substantive discussions. I am confident that political will and flexibility will enable us to build the necessary consensus to adopt our programme of work.

I have on my list of speakers for today the representatives of Iraq and Canada. I should like to give the floor to the representative of Iraq, Mr. Ahmed Al-Awad.

Mr. AL-AWAD (Iraq) (translated from Arabic): Mr. President, my delegation has pleasure in extending to you our congratulations on the occasion of your assumption of the presidency of the Conference on Disarmament at the beginning of its 1999 session. I am confident that your skills and your experience will greatly contribute to rendering the work of this session successful. My delegation also wishes to thank the Permanent Representative of Venezuela who spared no effort to make our work successful. I would also like to thank the Secretary-General of the Conference on Disarmament and his deputy for their considerable efforts to ensure that our work achieved its objectives.

(Mr. Al-Awad, Iraq)

The task of disarmament which our Conference is shouldering is a lofty task. Open-mindedness always allows us to achieve more in this prominent international forum in which the international community has placed its trust. As you are aware, Mr. President, important and sensitive issues, such as the question of disarmament, require thorough familiarity with the positions and viewpoints of States, which sometimes might differ greatly. In this regard, the role of this Conference is to reconcile viewpoints and create a single harmonized position that will lead to the adoption of practical and objective decisions that can be implemented.

The concerns of the delegations participating in this Conference, which those delegations express in their national statements, are certainly of great importance. Although we are hopeful that it will be possible to achieve all the objectives sought, there are some priorities in our current world that cannot be disregarded or deferred because they constitute a common and urgent objective for a large number of States. Nuclear disarmament is one of the highest priorities.

We are living today in the age of nuclear discrimination because there are States that are permitted to retain massive arsenals of nuclear weapons while other States are stripped of all nuclear materials, even those which are used for peaceful purposes. The selective approach to this issue engenders a deep sense of frustration and diverts us from our primary objective. Nuclear disarmament is the kingpin of our endeavours to strengthen international security, improve mutual relations and build confidence among States. It is also a firm guarantee that future generations will be able to live in a safe world free from fear. No convention or treaty in this respect will achieve its global and regional objectives unless it is accepted by all the parties thereto.

The proper procedure for the implementation of international treaties and conventions in the field of disarmament should begin with a clear recognition of their benefits by the States and the parties concerned. Furthermore, their application in a comprehensive manner would create an appropriate climate conducive to disarmament and the cause of international peace and security. We are all aware that it is not easy to combine differing viewpoints in a single package, but when we recall the current nuclear arms race and the massive stockpiles of nuclear arsenals with all the dangers that they entail, this should induce us to appeal to the international forums specialized in the field of disarmament to place this issue on their list of priorities and to apply its criteria thereto in a comprehensive manner and without any exception.

The international community today stands perplexed, seeking reasonable justifications or objective reasons to explain why, despite numerous appeals from the international community, the Zionist entity has for 18 years disregarded Security Council resolution 487 (1981), which called upon it to subject its nuclear facilities to the comprehensive safeguards regime of IAEA, and has also, for eight years, disregarded paragraph 14 of resolution 687 (1991), which sought to turn the Middle East into a zone free

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of weapons of mass destruction. The forthcoming 2000 NPT Review Conference should address this question in a serious and clear manner and devise practical solutions thereto.

The serious dangers that are threatening our world today stem mainly from the existence of arsenals and components of nuclear weapons. Our awareness of this fact is not based solely on theoretical premises because we could cite hundreds of cases of cancerous diseases and congenital malformations among innocent Iraqi citizens which resulted from the use of depleted uranium shells against Iraq in 1991. Had it not been for the illegal air embargo imposed on Iraq, it would have been possible for us to give you a living example that would provide an adequate illustration of the effects of the use of such abominable weapons without any sense of legal or moral responsibility. We therefore appeal to the Conference to take practical and serious steps to conclude a binding international agreement prohibiting the use of nuclear-weapon components and other nuclear derivatives such as depleted uranium in conventional weapons.

Disarmament, and particularly nuclear disarmament, can be achieved only through the creation of a general awareness of its real benefits and a clear recognition of those benefits, followed by the adoption of serious and programmed measures in accordance with a clearly defined time-frame and clear objectives under the supervision of an international forum and also in accordance with comprehensive and non-selective implementation criteria for a binding international instrument. Then, and only then, will we have taken the right step towards disarmament, because we will have provided equal opportunities for all States to further their national aims while, at the same time, consolidating peace and security in this world.

The PRESIDENT: I thank the representative of Iraq for his statement and for his kind words addressed to the Chair, and give the floor to the representative of Canada, Ambassador Moher.

Mr. MOHER (Canada): First of all, Mr. President, we would obviously like to welcome you to the presidency of this Conference and certainly pledge to do our best to cooperate with you in our effort to move forward the work of this Conference. I would also like to put on record Canada's appreciation for the efforts by your predecessor, Ambassador Rodríguez of Venezuela, for the work that he put into his presidency and to the cooperation which he demonstrated with Canada and with others.

Before going forward with our statement on the prospective negotiation of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, there are three preliminary observations of a general nature that Canada would like to make this morning. First, Canadian priorities for the CD have been clearly stated earlier, for example, our plenary statement of 4 February; those four priorities are nuclear disarmament, fissile material, the non-weaponization of outer space, and small arms - light weapons; each in our view provides promising areas for us to work on. Second in identifying those priorities, we have acknowledged that the degree of consensus on each varies in this Conference; we have accordingly

(Mr. Moher, Canada)

accepted different approaches while advocating that all be addressed. Third, while an agreed programme of work including all of these is our preference, Canada has not made agreement on that requirement; we have stated, and renew again today, our willingness to begin work on these issues which are now - immediately - available for work, while continuing to pursue agreement on others.

Now these comments are in a sense redundant, Mr. President, and I apologize for having to make them, but we have had a number of inquiries recently from outside this room alleging that Canada is one of the difficulties that you are facing, and I wanted to make clear that that is not the case.

Negotiations on fissile material: we wish to emphasize first of all our regret that we are not in a position to address today a re-established ad hoc committee formally tasked to negotiate. We renew our plea for immediate action in that regard. At the same time, we want to move substantive consideration of this issue forward. We have listened carefully to and thoroughly evaluated statements already made inter alia by Egypt, Pakistan, the United States of America, Norway and Japan. We have also reflected on views put forward at various seminars and workshops, documents on two of which we are helping to distribute to all members of this Conference this week. Our statement today is intended to reflect these evaluations and reflections - and hopefully to contribute to substantive forward movement on this key theme in actual negotiations as soon as possible. Those negotiations will be politically and technically complex and demanding; only a disciplined, focused approach by all will enable us to reach agreement on a viable, a credible and an effective treaty.

Canada has been one of the strongest supporters of such a treaty for approximately half a century. In doing so, while the central objective has remained constant - i.e. a ban on the production of fissile material for nuclear weapons or other nuclear explosive devices - the definitions of the context and the associated challenges have evolved over the decades. In 1978, for example, the then Prime Minister Pierre Elliot Trudeau addressed the concept within his "strategy of suffocation" concept at a time when weapons and stockpile inventories were increasing dramatically. In 1999, we are in a period of weapons reductions which has resulted in significant excess stocks of both a qualitatively and quantitatively different context.

The most recent comprehensive multilateral effort to capture this new context and its implications was the Shannon report of 1995. But that report, while it successfully bridged differences and articulated a mandate within a context, did not resolve a number of essential difficulties. That remains the mandate of our ad hoc committee, i.e. to negotiate a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. In pursuing that mandate we will have to seek consensus on the context within which we are working as well as on the specific dimensions of the treaty itself.

(Mr. Moher, Canada)

As forecast in our general statement on 4 February of this year and building, inter alia, on our plenary statement of 11 August of last year, we wish to begin to address these considerations, context and specifics in this intervention today. We will do so in the following areas: first, what we call critical "conceptual parameters" for the negotiations; second, specific "strategic issues" which will need to be addressed in those negotiations; and third, some specific "structural questions" which will need to be resolved. Obviously, Canadian participation in the detailed negotiations will be guided by these perceptions on our part.

First, conceptual parameters: The negotiation of any disarmament, non-proliferation or arms control treaty must reflect the overall security content in which that negotiation is taking place, must respond to relevant challenges (existing and foreseen), and must take into account certain political realities. Our decisions, nationally and collectively, as to whether or not to conclude such negotiations and to sign/ratify the result will depend on our assessments as to how these three considerations are addressed. It may therefore be valuable to share with this Committee certain key "conceptual parameters" that Canada will be bearing in mind. Certain key "conceptual parameters" will be significant, relevant to Canada in this regard.

First, an eventual treaty will need to address both nuclear disarmament and nuclear non-proliferation concerns. In so doing it must, like the CTBT, reinforce the international regime anchored in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Such treaties, which are by definition "focus" or "issue-specific" treaties, cannot be alternatives to that regime - or substitutes.

As stated last August, Canada is not prepared to see the almost unanimously supported international nuclear disarmament and non-proliferation regime based on the NPT redefined through these negotiations. This basic principle will have implications throughout our new treaty - on scope, on verification and on structural or mechanism provisions. But the most important will be its significance for the provisions of the treaty dealing with potential States parties, their status, their commitments and their obligations.

This treaty should not change or redefine certain key political and legal principles. Canada's "nuclear world", for example, is defined by the NPT with its five nuclear-weapon States, its 182 non-nuclear-weapon States and those few States with are not yet States parties. This "nuclear world" will need to be reflected in our treaty; we are not prepared to redefine that world by assigning to any State any newly minted political-legal status. This will not be an easy or simple task. Canada has begun its detailed study of possible solutions to this challenge and looks forward to exchanges of views with others as to how it can be most positively overcome.

Second, the undeniable question of existing stocks. Undeniable in the sense that stocks - obviously - exist. And also undeniable since the Shannon report itself acknowledges "that the mandate for the establishment of the Ad Hoc Committee does not preclude any delegation from raising for

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consideration in the Ad Hoc Committee any of the above-noted issues", including - obviously - stocks. We have listed carefully, as I said earlier, to the views and conclusions put forward in the relevant Ad Hoc Committee in 1998 or in the CD plenary and in various workshops and seminars.

Certainly there can be no doubt as to the relevance of the fact that as of the end of 1997 at least 250 tons of plutonium and 1,700 tons of highly enriched uranium (HEU) existed in fissile material stockpiles available for weapons purposes. While certain steps to reduce those stockpiles by the United States of America, the Russian Federation and the United Kingdom are welcome, much more remains to be done. Even using the IAEA "significant quantity" of 8 kilograms for plutonium, the reality is that 250 tons equates to approximately 31,000 warheads. For HEU, using 25 kilograms as a "significant quantity", 1,700 tons equates to 68,000 warheads. Asking the international community to ignore that reality and to focus exclusively on future production will be difficult to understand or to accept.

At the same time, the five nuclear-weapon States have repeatedly and forcefully stated that they will not agree to the inclusion of stockpile issues in the negotiation of a multilateral treaty in the CD. If that assertion on their part is accepted as a "bottom line" in our negotiations, that will establish another reality which will have to be acknowledged and reconciled if we are to achieve a treaty.

How can that be done? Canada has decided that its approach will be guided by the following: while we will not argue that stockpiles be addressed in the treaty itself, it will be vital that in parallel with its negotiation all States with stockpiles engage in measures (national, bilateral, multilateral) to enhance transparency and to reduce those stockpiles irreversibly. The Joint Statement of Principles for Management and Disposition of Plutonium Designated as No Longer Required for Defence Purposes, signed by Presidents Clinton and Yeltsin on 2 September 1998, is an example of one such measure that could meet these ends once implemented. We also have noted the earlier expressions by Presidents Clinton and Yeltsin in January 1994 that they would "cooperate with each other and also with other States to elaborate measures designed to prevent the accumulation of excess stocks of fissile materials and over time to reduce such stocks".

A verifiable ban on production would be an important increment to the nuclear disarmament and non-proliferation regime, but without meaningful parallel measures on stockpiles. Canada questions whether a ban of this nature will be as viable, as credible and as effective as it might be.

In line with the NPT and in the worked of the 1995 "Principles and objectives" decision, Canada has long demanded and will continue to demand "systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons ...". We can hardly do less as regards stockpiles of fissile material for nuclear weapons or other nuclear explosive devices. And we serve notice now - our evaluation of the credibility and the effectiveness of any eventual treaty text will be heavily influenced by progress made in this regard.

(Mr. Moher, Canada)

To facilitate a clear understanding of what Canada considers to be necessary in this respect, we are circulating a working paper entitled: "Elements of an approach to dealing with stocks of fissile materials for nuclear weapons or other nuclear explosive devices"; this paper is to be an official document of this Conference.

A third conceptual parameter is directly related to the point just addressed. Canada's understanding is that the five nuclear-weapon States have already ceased production of fissile material for nuclear weapons purposes.

We welcome this and other parallel measures - as we do the future contribution of an FMCT to confirming this cessation in a legally binding, effectively verified way. What we cannot welcome is the inability of the five States concerned to confirm their cessation of production through formal moratorium commitments. The arguments for not doing so and the linkage made by some of those States between their positions and the behaviour of other States is difficult to understand given the size of their existing weapons and fissile material stockpiles.

The international community through the CD mechanism is launching complex negotiations; they will undoubtedly be time-consuming as well. The conceptual contradiction of us all working strenuously to achieve a ban on production while one, two or more States continue busily engaged in production is surely self-evident. Canada renews it call for a comprehensive moratorium by all the States concerned, with the five nuclear-weapon States exercising the necessary political and moral leadership.

In addition to these three conceptual parameters, others could be cited and developed. However, suffice it to state at this point that these three occupy a defining position for Canada as we begin these detailed negotiations. We will return to them frequently as our work progresses.

Turning now to strategic issues, the list of "strategic issues" which we could collectively or will collectively have to confront is itself lengthy and filled with definitional and political-technological problems. We cannot address them all in this initial statement. Indeed some of these issues are sequential in nature, taking on additional difficulty and complexity as earlier decisions are taken. We will therefore limit ourselves now to two or three basic observations.

First, what fissile materials and what facilities? In our view the treaty must deal with weapons-usable fissile material, not just weapons-grade fissile material. The incongruity of a potential situation in which IAEA safeguards weapons-usable material in 182 non-nuclear-weapon States, while an FMCT deals only with weapons-grade fissile material in the nuclear-weapon or other States, must be recognized. Provision should also be made for including other fissile material (e.g. neptunium) under the treaty if and when considered necessary. Tritium is not a fissile material and should not be included.

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And while the focus should be on the classical production facilities - enrichment and reprocessing - we will want to ensure that other production technologies and facilities as well as facilities that might be associated with new produced fissile material are adequately covered by the treaty.

A very significant complication in this regard will be the issue of fissile material for military non-explosive uses. We agree that the treaty should provide for such uses, and for the production of such material in the future if necessary. But great care will be necessary to ensure that this flexibility does not open the door to production or stockage measures which would in effect dilute or defeat the treaty's desired impact. Transparency, confidence-building and verification measures will all need to be developed with this concern in mind.

The challenge of developing a "non-discriminatory, multilateral and internationally and effectively verifiable treaty" is evident to us all. But some key factors as regards verification can and should be flagged early. First, any verification regime, if it is to be effective, must deal with both declared and undeclared fissile material as well as production and other relevant facilities. The implementation of this principle will raise many issues, not least of all in the nuclear-weapon States where inter alia specific steps for enhanced transparency and a clear baseline for a verification regime will have to be established.

Second, based on some of the conceptual parameters developed earlier, Canada considers that the treaty's verification regime, as it applies to States that have in force the IAEA agreements pursuant to both INFCIRC/153 and INFCIRC/540, must be rooted in those agreements. While it may be considered desirable in the course of our negotiations to supplement that framework, deliberately and prudently, we will need to exercise great care not to call into question the integrity of the enhanced IAEA safeguards regime.

Third, any effective verification regime, which will be applied in States not parties to the framework just outlined, must be appropriately comprehensive and satisfy similar concerns as to the thoroughness and "reasonable assurances". The starting point, the end point and specific provisions of such a regime will therefore need to be carefully negotiated.

This brief overview of scope and verification concerns indicates Canada's starting points as we begin to engage in these negotiations. It hints at only some of the real difficulties before us. But early recognition of and thoughts given to these factors will, we believe, facilitate the negotiations themselves.

Finally, turning to structural questions, many questions will have to be addressed in detail later in the negotiations. At the same time, some early considerations can be noted. First, governance: as with other treaties, we are of the view that separate governance mechanisms sensitive to the scope, obligations, operational factors and adherence to this treaty will need to be

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developed. Second, the verification mechanism: given our earlier observations, it is evident that Canada considers IAEA, given its existing and experienced safeguards system, to be the essential foundation for any verification mechanism. Third, financial provisions: while there is a collective responsibility as regards this treaty, consideration will need to be given to an appropriately weighted and defined financial mechanism. Fourth, entry into force: given out views on entry-into-force provisions of other treaties, such as the CTBT, Canada will be most sensitive to this provision, particularly in light of some of the conceptual concerns identified earlier. Other "structural" issues such as amendment, protocols, dispute settlement and compliance will obviously arise as we go forward.

In conclusion, this intervention on our part has been somewhat detailed, and as I mentioned at the beginning, we would very much have preferred to have been able to give it at a meeting of the Ad Hoc Committee itself. We have however set forward these views, given our strong commitment to the achievement of a viable, effective and credible treaty which must reinforce the international nuclear disarmament and nuclear non-proliferation regime. To that end, we look forward to participating in and contributing constructively to a responsible, serious negotiation process in the very near future.

The PRESIDENT: I thank the Ambassador of Canada for his comprehensive statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any delegation wish to take the floor? The Ambassador of Pakistan has the floor.

Mr. AKRAM (Pakistan): Mr. President, it is a pleasant opportunity to be able to extend our warm congratulations to you on having assumed the presidency of the Conference at this important moment of our work. I would also wish to extend my gratitude and appreciation to your predecessor, the distinguished Ambassador of Venezuela, for the diligence and integrity with which he conducted his task.

It was not the intention of my delegation to seek the floor today, but I can rarely resist the temptation to respond to my distinguished colleague from Canada, especially on the issue of fissile materials. My delegation had the opportunity at our last session in 1998 to outline our general approach and some of our considerations with regard to the fissile materials treaty. Earlier in this session, my delegation stated that we would take an early opportunity to respond to some of the views and positions which have been expressed here by some of our colleagues on the fissile materials treaty. Canada's statement adds to the list of those issues which will require such comments and on which, we believe, the Conference will need to conduct pre-negotiations before it can proceed to the actual stage of negotiations in the concept which Canada had earlier outlined for the work of this Conference.

Let me just use this opportunity, however, to make certain general and political points with regard to the fissile materials treaty, since many of us seem to getting ahead of ourselves. First of all, let me say that the nuclear world, as conceived by Canada - that is, consisting of five nuclear-weapon

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States - is not the real world. It is an unreal world and it denies the realities on the ground in many cases. What is more, it is proposed to conclude a universal treaty, but to base that treaty on a world that is legislated in one particular treaty. For Pakistan, the negotiations on the fissile materials will be completely *de nouveau* negotiations. We do not accept that there are five nuclear-weapon States. This is a factual incorrectness. The distinguished Ambassador of Canada has argued on the one hand that we cannot change the NPT because that has been accepted by 182 non-nuclear-weapon States, but thereafter, he also argued that there is another reality which will have to be acknowledged and reconciled if we are to achieve a treaty, which is that the P-5 will not accept the negotiation of the existing stockpiles in this treaty. The two positions are contradictory and incompatible.

We cannot accept a situation where a treaty such as this would freeze the inequality that exists not only globally but also in certain sensitive regions of the world. The proposal for a moratorium suffers principally from this defect. If certain States have security requirements, so do others. The second recommendation by Canada says that all five nuclear-weapon States should assess their nuclear weapons requirements and declare appropriate amounts of fissile materials to be in excess. If the five nuclear-weapon States have the right to assess their nuclear weapons requirements, why should others not have the same right, if they are placed in similar situations as the nuclear-weapons States? Why should a moratorium or a treaty ban production at levels which will clearly discriminate against some States which feel they do not have the requirements they need for effective deterrence? A moratorium would also be unverifiable, and the treaty's mandate specifically states that the treaty has to be universal, has to be non-discriminatory and has to be internationally verifiable. A moratorium cannot match those criteria.

Finally, the concept of what is to be banned or not banned will have to be determined from the viewpoint of this treaty, not what is placed under IAEA safeguards, because IAEA safeguards are conceived in the context of the NPT. This treaty's safeguards will have to relate to the obligations undertaken under this treaty, not under the NPT.

And by the same token, we believe that IAEA does not have an automatic role to play in the verification of this treaty. Verification of this treaty will have to be specific to this treaty, and that will be determined by what we agree to ban under this treaty - future production, existing stockpiles, future production of what? Will production be continued under certain circumstances? All these are issues that require clarification and agreement in the negotiations.

It is true - and I agree with my distinguished colleague from Canada - that the negotiation of this treaty will be complex and difficult. It will be complex and difficult because the issues involved are complex. But it will also be complex so long as certain States continue to insist that this treaty will be discriminatory, whereas it is declared that it should not be discriminatory. Exceptions for the P-5, exceptions for certain countries in

(Mr. Akram, Pakistan)

stocks and not for others, existence of unequal stockpiles - these are all issues that will add to complexity because they are politically unfair and discriminatory.

My delegation would like all these issues to be clarified and considered in this Conference when we start our negotiations. Unless these issues are clarified, we will not be able to move into the stage of actually elaborating a treaty, because there is no agreement as yet on the premises of the treaty, on what is universal, what is non-discriminatory and what is effectively verifiable. So let us not get ahead of ourselves and make assertions on the basis of preconceived notions. We need much greater and in-depth discussion of the issues, clarification of issues, before we can get to that stage. My delegation is ready for this stage. We shall take an early opportunity to elaborate our views on the specifics of this treaty, and we look forward to engaging in a constructive and in-depth dialogue with all interested delegations, including the delegation of Canada.

The PRESIDENT: I thank the Ambassador of Pakistan for his statement. Are there other delegations that would like to take the floor? I see none.

So that concludes the list of speakers for today. With regard to the programme of meetings for next week, as I already indicated at the Presidential consultations held yesterday with the Group Coordinators, we shall hold plenary meetings on Tuesday, 23 March, at 10 a.m., at which the Minister for Foreign Affairs of Poland will address the Conference; on Thursday, 25 March, also at 10 a.m., at which the Minister for Foreign Affairs of India, the Under-Secretary of State for Foreign Affairs of Mexico and the Commissioner of the Federal Government for Disarmament and Arms Control of Germany will address the Conference; and on Friday, 26 March, at 3.30 p.m., which will be addressed by the President of the People's Republic of China. So next week - and I say it again - we have three plenary meetings.

This concludes our business for today. The next plenary meeting of the Conference will be held on Tuesday, 23 March, at 10 a.m.

The meeting rose at 11.20 a.m.

CONFERENCE ON DISARMAMENT

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ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND TWENTIETH PLENARY MEETING

Held at the Palais des Nations, Geneva
on Tuesday, 23 March 1996, at 10.15 a.m.

President: Mr. Nguyen Quy Binh (Viet Nam)

GE.99-61051 (E)

The PRESIDENT: I declare open the 820th plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of all of us, a warm welcome to the Minister for Foreign Affairs of Poland, His Excellency Mr. Bronisław Geremek, who will be addressing the Conference today. Professor Geremek needs no introduction. His academic record is well known to all of us; it encompasses the holding of a very high position in the Polish Academy of Sciences and the prestigious post of Visiting Professor at the Collège de France in Paris. We are also aware of his deep involvement in the public life of his country and his contribution to the emergence and evolution of the democratic process in Poland. I am sure that we are all appreciative of this further demonstration of the high importance attached by his Government to our forum, and of their continued commitment to the multilateral approach to disarmament.

I now invite the Minister for Foreign Affairs of Poland, His Excellency Mr. Bronisław Geremek, to address the Conference.

Mr. GEREMEK (Poland): Mr. President, please accept my sincere congratulations on your assumption of the presidency of the Conference on Disarmament. I wish you every success in the discharge of your important and demanding mandate.

The Polish delegation is also appreciative of the dedication and skill with which your predecessors performed their duties during their respective tenures at the current session of the CD.

I should like to take this opportunity to greet the Secretary-General of the CD, Mr. Vladimir Petrovsky, and his deputy, Mr. Abdelkader Bensmail.

Let me finally express to you, Mr. President, my sincere thanks for the generous words of welcome which you addressed to me on behalf of the Conference.

As Minister for Foreign Affairs of Poland and a former "dissident", I deem it a great honour, indeed, to be able to make an address to the Conference on Disarmament. As a historian, I am under the spell of this august Salle du Conseil. Over much of the twentieth century it has been witness to some of the major events of international relations - including in the realm of disarmament - which have shaped the fates of nations.

My presence among you today reflects above all the cardinal importance which my Government attaches to disarmament - an integral part of international security. Poland has always actively participated in the multilateral disarmament efforts pursued by the Conference on Disarmament. This is particularly true of the period since the end of the cold war and the collapse of the bipolar world.

(Mr. Geremek, Poland)

National security concerns are, of course, country-specific and may differ when looked at from an individual or a more aggregate perspective. As for Poland, it finds itself - for the first time in modern history - in a secure and friendly environment. Very recently, Poland, together with the Czech Republic and Hungary, has joined the North Atlantic Treaty Organization, the alliance which has contributed most to global stability since the Second World War. Its significance for Europe and beyond cannot be overstated. But can we draw a lesson from this unique, historical experience of our country? Of course we can. The lesson is that we have to work with determination in all forums, including the CD, to make security a common commodity, assured in equal measure to all members of the international community.

I wish to share with you some general thoughts on international security, its nature and contents. International security is becoming these days an increasingly comprehensive notion. The sense of security for all evermore depends on how successful governments are in upholding common values, in combating organized crime, illicit trafficking of drugs and terrorism, in preventing abuses of human rights, intolerance, famine or other natural disasters. More often than not, security starts in the region and at home: the predominating conflicts are conflicts bred by abuse of power, a deficit of democracy, economic and ecological deficiencies, ethnic intolerance, poverty and ideological or other extremisms.

International security is indivisible. Seemingly faraway conflicts or other threats to security, unless effectively pre-empted or contained in time, are bound to spread to our doors with all their incalculable consequences. The recent history of the conflicts on the OSCE perimeter, especially those ravaging the Balkans and the Caucasus, serves as a sufficient illustration.

The indivisibility of security is true not only in the regional, European context. It has a global dimension as well. Consequently, a reliable security environment is not conceivable either in Europe or in any other region unless due account is taken of that broader factor. It makes, therefore, little sense to speak in terms of a "rich man's" or a "poor man's" war. Indeed, there is no fire-proof wall to isolate a prosperous North from a destitute and frustrated South. We need to contribute in a more effective way in order to promote self-sustainable mechanisms of resolving local conflicts that afflict many parts of the world, including the developing world. In this respect, international solidarity and cooperation for security are the key requirements. Peace can neither be imposed from the outside nor can security be assured and externally monitored. Instead, international solidarity and cooperative security are called for. Both need to be readily available in conflict-prone regions if the nations concerned are to be able to resolve their problems by themselves.

I strongly believe that international security is no longer a zero-sum game. One cannot procure reliable security for oneself at the expense of others. Solidarity and cooperative security mean more transparency, hence a

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better knowledge of one's neighbours. These two terms also imply greater sensitivity to the perceptions and concerns of others. More than anything else, they also mean an increased readiness to go halfway to meeting such concerns.

In the past, international security was a domain largely monopolized by diplomats and general staffs. Fortunately, not any more. Nowadays, as you are well aware, non-State actors - the citizens themselves - have become increasingly outspoken in that respect. It stands to reason, therefore, that henceforth international security will be built more and more around the concept of international civil society in which, along with governments, international organizations, economic and financial institutions, an ever more prominent role will be played by citizens and their spokesmen - the non-governmental organizations. The reason is clear - security today is inextricably linked to and identified with such shared values as democracy, prosperity, personal freedom, respect for human rights, the market economy and the rule of law.

As European history bears out, shared values constitute the most solid and reliable fabric of security and stability. The enlargement of the Atlantic Alliance demonstrates telling approval by its new members for such a concept of security.

It goes without saying that multilateral disarmament efforts, especially those on which the attention of the Conference on Disarmament has been focused, play a critical role in regard to the global security environment. Poland attaches special significance to the two remarkable accords which the CD has elaborated recently - the Chemical Weapons Convention and the Comprehensive Test-Ban Treaty. Poland took a constructive part in their negotiation, as indeed it has in the negotiation of other multilateral instruments produced by the CD, including the Treaty on the Non-Proliferation of Nuclear Weapons.

Certainly, one may strongly and quite legitimately regret that, due to conflicting positions on issues of substance or procedure, many "windows of opportunity" have been missed. However, I would have difficulty in questioning the enduring relevance of the CD because it is "not delivering". The CD is the sole multilateral disarmament negotiating body - not an assembly line for the mass production of multilateral accords. It has negotiated important accords and its achievements over the years have invariably met with praise. We are prepared to concede - like certain other CD members - that some "redeeming value" is inherent even in ostensibly idle deliberations. Dialogue in itself has value as a vehicle with which to identify common denominators, areas of mutual interest and common positions ultimately resulting in agreements. We need a constructive dialogue in the CD as a framework for results-oriented endeavours on most important disarmament issues.

At the very least, dialogue helps keep the negotiating expertise of the CD intact and available for the moment when the political will of CD members

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makes consensus possible. Through dialogue we bring into this hall something very essential - vision. We have to have vision, if we are to look beyond the horizon and if we are to meet the expectations of today and - in particular - of tomorrow.

This certainly is the case with the most complex issue on the Conference's agenda - the issue of nuclear disarmament. I should like to be very clear: it is not my Government's position that the CD should be involved in nuclear disarmament negotiations sensu stricto, that is to say negotiate, for example, specific nuclear weapons reductions. We believe, however, that the CD is mandated to contribute to a climate conducive to the success of bilateral disarmament talks, those ongoing or those to come. In the name of equal and indivisible security for all, we have all subscribed to the idea of a world free of nuclear arms as the ultimate goal. At the same time we need a sense of responsibility when approaching the issue of nuclear disarmament. The bilateral negotiations under way have their own dynamics. They are complex, delicate and vulnerable. Who can assert that one step in a new direction - even if made with goodwill - will not derail the whole exercise?

The nuclear disarmament debate in the CD has not only produced specific proposals but, more importantly in my view, has led to interesting insights into this complex issue. It has also confirmed that conflicting perceptions in this regard are strongly entrenched. As far as my country is concerned, one thing is beyond any reasonable doubt: the dispute over the appropriateness, or otherwise, of a multilateral approach to nuclear disarmament ought to give way to sustained and effective measures to consolidate the non-proliferation regime. Recent events in South Asia suggest that regional nuclear arms may get out of control unless the international community acts in its enlightened interest.

Like many other CD members, Poland supports the unilateral and bilateral commitments which the United States, the Russian Federation, France and the United Kingdom have made with regard to nuclear arms reductions. We are strongly hopeful that the Russian Duma will soon ratify START II and that, as a result, START III will commence, as envisaged at the Helsinki summit of 1997.

The tortured history of negotiations on a fissile material cut-off treaty (FMCT) in particular ought to lead, at long last, to a serious and productive negotiating process. The threats inherent in the continued production of fissile materials, or the very real danger of the pilfering of existing stocks by terrorist groups, are too grave to justify intransigence and inactivity. My country finds merit in the view that potential for compromise and progress would be more realistic in negotiating first the future production of fissile material. A timely agreement reached in that regard would certainly create a climate conducive to the positive subsequent consideration of the more complex issue of existing stocks.

In Poland's view, no time should be lost and no avenue should be left unexplored in order to start in earnest a constructive FMCT negotiating process. While its immediate result would have a critically important

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non-proliferation effect, in the long run this might be tantamount to a practical step towards nuclear disarmament and the eventual elimination of nuclear arms.

Poland believes that in an era of a technology - like that in outer space - which develops by leaps and bounds, it may be appropriate for the Conference on Disarmament to allocate time for the continued exploratory consideration of the issues involved. Certainly, the "weaponization" of outer space could pose serious threats to international security and to the peaceful exploitation of that environment. Yet we need to take into due account the assertions that no arms race is under way in space. In our view, great care must be taken not to interfere with or to get confused by the myriad or vitally important uses to which space technology is put these days, starting with communications, meteorology and monitoring functions with respect to environment protection, natural disaster early warning, peace-keeping and disarmament compliance verification.

Poland could, therefore, support the proposition that an appropriate mechanism of in-depth consultations be agreed with a view to identifying the precise positions of States and changes of a practical and realistic nature commanding consensus support.

Poland welcomes with great satisfaction the entry into force, on 1 March, of the Ottawa Convention on a total ban on anti-personnel mines. It is a remarkable testimony to human solidarity. Supported by over 130 Governments, including my own, it is a manifestation of rare humanitarian concern over and compassion for the thousands of unsuspecting civilians, mostly children and women, who are victims of the "killing fields". Moved by the human and material cost of the worldwide landmine crisis, the world's highest moral authorities, including His Holiness Pope John Paul II, have urged a halt to the carnage.

At the same time, we cannot neglect the other side of the anti-personnel landmines problem, that is, its security aspect. For Poland, with its particular geostrategic situation, it is important that all countries in the region join the Ottawa Convention. We hope that all Poland's neighbours will ratify the Convention.

We know that Poland is not alone with such concerns. Seeking to meet those concerns, a group of States, including Poland, have consistently sought to associate the major producers and exporters with the goals of the Convention. These States feel that measures more tangible than appeals are called for. In their opinion, a global ban on transfers of anti-personnel landmines, one that would take due account of the security concerns of States, would be a fitting theme for the Conference on Disarmament.

Negotiated with the participation of, and supported by, the major producers, exporters and users of anti-personnel mines, a transfer ban would be a meaningful arms control instrument. It would also have the advantage of denying explosive devices to non-government forces and terrorist groups for use in internal conflicts.

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We remain convinced that such an accord is still worth pursuing by the Conference on Disarmament.

I believe that the principle of the indivisibility of security applies also to the ultimate responsibility of the international community for the modalities of security. That includes disarmament negotiations and is relevant to the plea for expansion of the membership of the Conference on Disarmament. It has been Poland's view all along that no barriers, even the least subjective ones, should hold back those applicants who, with patience and determination, have been demonstrating their desire and ability to make a tangible contribution to the work of the Conference on Disarmament.

I should like to conclude by restating the importance which Poland attaches to the Conference on Disarmament as the principal, indeed sole, multilateral disarmament negotiating body of the international community. Its potential has not been totally exploited nor its mandate exhausted. My country is determined to continue making a constructive contribution to the work of the Conference.

The PRESIDENT: I thank the Minister for Foreign Affairs of Poland for his important statement and for the kind words addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor?

This concludes our business for today. The next plenary meeting of the Conference will be held on Thursday, 25 March 1999, at 10 a.m.

The meeting rose at 10.40 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.821
25 March 1999

ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND TWENTY-FIRST PLENARY MEETING

Held at the Palais des Nations, Geneva
on Thursday, 25 March 1999, at 10.20 a.m.

President: Mr. Nguyen Quy Binh (Viet Nam)

GE.99-61088 (E)

The President: I declare open the 821st plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of all of us, a warm welcome to the Under-Secretary of State for Foreign Affairs of Mexico, H.E. Ambassador Carmen Moreno, and the Commissioner of the Federal Government for Disarmament and Arms Control of Germany, H.E. Ambassador Rüdiger Hartmann, who will be addressing the Conference today. Their presence among us yet again today testifies to the abiding commitment of their Governments to our common endeavours and to the continued importance they attach to our forum.

I should also like to welcome among us the newly appointed representative of Australia to the Conference on Disarmament, Ambassador Les Luck, and assure him of our full cooperation and support in the discharge of his functions.

I invite the Under-Secretary of State for Foreign Affairs of Mexico, H.E. Ambassador Carmen Moreno, to address the Conference.

Mrs. MORENO (Mexico) (translated from Spanish): Mr. President, I am happy to convey to you our pleasure at seeing you preside over the work of the Conference on Disarmament, and to offer you the support of my delegation in discharging your responsibilities, which I am sure you will do with the skill born of your extensive experience and abilities. We are grateful to you and your predecessors, the Ambassadors of the United States and Venezuela, for your efforts to enable the Conference on Disarmament to begin substantive work.

About a year ago, I had the honour to address this Conference in order to express my Government's concern over the stalemate which had been affecting this sole multilateral forum for disarmament negotiations since 1997 and which in our view was a reflection of the lack of consensus in the international community concerning a global disarmament agenda in the post-cold-war era. At that time, I pointed out the continuing validity of the Declaration and Programme of Action set forth in the Final Document of the first special session of the General Assembly devoted to disarmament, adopted more than 20 years ago, and stated that the present detente should facilitate the achievement of their lofty objectives. I recalled that, today as then, the priority in disarmament negotiations is nuclear weapons, which continue to pose a threat to humanity's very existence. Last year, after many delays, the Conference succeeded in adopting a programme of work and - just - embarking on substantive work. This year, the first part of its annual session is about to conclude and the Conference has still not been able to continue what it started or to initiate new tasks. So I have returned to reiterate the Mexican Government's concern that in the field of disarmament not only has no progress been made since last year but also new concerns and strains relating to previous accomplishments have appeared on the horizon.

Thus, the risk that nuclear weapons may be used by accident or miscalculation or without authorization has not diminished but rather increased. Six years after its signature, the Start II Treaty has yet to enter into force. There have been no changes in the strategic or security

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doctrines of the nuclear-weapon States that would point to a reduction in the role they assign to those weapons, nor have those States undertaken an unequivocal commitment to the speedy and total elimination of their respective nuclear weapons.

On the contrary, additional States have demonstrated a nuclear weapon capability, at the expense of the international non-proliferation regime in this area, whose universality and strengthening is essential for international security. Furthermore, research on anti-missile defences has been announced, raising concern over whether its outcome will be compatible with the Treaty on the Limitation of Anti-Ballistic Missile Systems, better known as the ABM Treaty, which is regarded as the cornerstone of efforts to reduce nuclear stockpiles.

The outlook for nuclear disarmament is not encouraging, above all because of the continuing refusal to deal with it multilaterally, with the thoroughness and rigour it merits; a refusal which casts doubts on how, when and to what extent the nuclear-weapon States are willing to fulfil their treaty obligations, and to assume the special responsibility they bear to pursue systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating them.

The perception that the negotiations on the reduction of nuclear stockpiles are deadlocked, as well as the prospect of the indefinite possession of those weapons, could ultimately weaken the international community's accomplishments, not only with regard to non-proliferation of nuclear weapons, but also in relation to the total elimination of other weapons of mass destruction. These are treaties which are certainly very valuable in themselves, and, as laid down in their preambles, were conceived and concluded as essential elements and steps in pursuing general and complete disarmament, a goal that is receding as hope dwindles in its manifest premise - a nuclear-weapon-free world.

These and other considerations led my Government to join those of Brazil, Egypt, Ireland, New Zealand, Sweden and South Africa in the declaration issued by our Ministers for Foreign Affairs on 9 June last year, concerning the need for a new nuclear disarmament agenda, which resulted in resolution 53/77 Y, adopted in the United Nations General Assembly by a large majority, relating to bilateral, plurilateral and multilateral mutually reinforcing measures and calling upon this Conference to establish an appropriate subsidiary body to deal with nuclear disarmament.

Some of these practical steps must be taken urgently in order to reduce the nuclear-weapon States' reliance on these weapons in their security systems. This includes agreements between nuclear-weapon States not to be the first to use nuclear weapons and not to use or threaten to use them against non-nuclear-weapon States. These agreements would be in keeping with the International Court of Justice's advisory opinion on the legality of the use of nuclear weapons, and would facilitate other measures of equal urgency for the security of all, such as the de-alerting of nuclear weapons and the removal of nuclear warheads from their delivery systems. This latter measure

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has become even more pressing in the light of concerns over the threat of the Y2K virus to the safety of nuclear weapons in a state of alert.

The Group of 21, of which Mexico is a member, has tabled proposals for the establishment of a subsidiary body of the Conference to deal with nuclear disarmament, and has displayed flexibility regarding its characteristics and mandate. It is the understanding of my delegation that an exchange of views and information in the Conference on Disarmament with a view to identifying specific measures for achieving nuclear disarmament does not affect or impair efforts to reduce nuclear weapons worldwide. Obviously no one claims that we can replace those efforts here. It is hard to understand, however, the systematic refusal to deal with nuclear disarmament, as though it were the sole responsibility or concern of some States.

As the International Court of Justice has already pointed out, the obligation to pursue and bring to a conclusion negotiations on nuclear disarmament is incumbent upon all States. In article VI of the Non-Proliferation Treaty, each party to the Treaty undertook to pursue negotiations in good faith on effective measures relating to cessation of the arms race at an early date and to nuclear disarmament. By insisting on the need for a new agenda on nuclear disarmament and on the establishment by this sole multilateral forum for disarmament of an appropriate subsidiary body to deal with this issue, Mexico is fulfilling part of this commitment.

There is one measure in the pursuit of nuclear disarmament that was identified some time ago. I am referring to a treaty banning the production of fissile material for nuclear weapons, on the basis of the Special Coordinator's report and the mandate contained therein. It is the second and last practical measure provided for in the programme of action appearing in the decision on "Principles and objectives for nuclear non-proliferation and disarmament" adopted by the NPT Review and Extension Conference in 1995.

Last year, at the end of its session, the Conference established the Ad Hoc Committee on this subject, which has still not managed to restart substantive work this year. Negotiations in this sphere are technically complex, and agreement and consensus on its scope are still lacking. Mexico believes the treaty should be a true measure of non-proliferation and nuclear disarmament which is urgent. Neither consensus on scope nor a clear idea on the technical complexities involved can even be approached unless negotiations begin.

Despite the significance we attach to the creation of subsidiary bodies to deal with nuclear disarmament, we must not sacrifice what is possible for what may be desirable. It would appear that no one objects to the Ad Hoc Committee on fissile material commencing its work. The time has come to begin negotiations, the raison d'être of this Conference.

Outer space should be explored and used solely for peaceful purposes. That is what we agreed in 1967. However, since then technology in this field as in others has made exponential progress. The potential military uses of outer space are becoming more numerous and significant day by day, just as the

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number of countries with the capability to use it is on the increase. Last year, the United Nations General Assembly reaffirmed that it is incumbent upon this Conference to play a leading role in the prevention of an arms race in outer space in all its aspects, and invited it to finalize the examination of the mandate in its 1992 decision with a view to re-establishing the Ad Hoc Committee at the present session. This is another question on which we should and can reach the necessary consensus speedily.

Last year, the Ad Hoc Committee on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons was re-established, and structured and thematic discussions on various related topics were held. It was agreed to recommend to the Conference that it should re-establish the Ad Hoc Committee at the beginning of the present session, the first part of which is about to end. This is another question that inexplicably remains unresolved.

Mexico believes that it is necessary to redouble efforts to conclude at the earliest possible date the work of the Ad Hoc Group on a verification protocol for the Convention on the Prohibition of Biological Weapons. Greater flexibility in negotiations will be required in order to resolve pending issues.

On 23 September 1998, together with 59 States parties to the Convention, Mexico subscribed to a declaration supporting the conclusion of the negotiations. This declaration included two elements which continue to be of importance for my country: the resulting protocol must be in keeping with all the elements of the mandate received by the Ad Hoc Group; and the protocol must be concluded on the basis of consensus.

My Government hopes that all the measures envisaged in the verification mechanism will be effective and economical and that a balance will be struck between commitments to be entered into and international cooperation measures in the area of biotechnology and the transfer of equipment related to the peaceful uses of biological agents.

The excessive accumulation of conventional weapons, the growing destructive power of conventional weapons and the unlimited availability of small arms and light weapons, as well as their illegal trafficking, pose challenges and threats to security. Of course, the poor prospects for nuclear disarmament are not encouraging either for conventional disarmament or for the adoption of confidence-building measures at the global level. We feel that the prospects are better and broader at the regional level, and Mexico has taken initiatives in this regard, of which the CD has been informed. Examples are the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials and the work of the Ad Hoc Group on the limitation of conventional armaments, set up by the Rio Group, which held its second meeting in Mexico City on 15 and 16 February this year.

We are participating actively in the Group of Experts which will submit a report to the next General Assembly on the progress made with the set of

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recommendations approved in 1997 by Member States for the reduction and prevention of excessive accumulations of small arms. We attach great importance to the holding of an international conference not later than 2001, for we believe it will offer an opportunity to explore the various aspects of this issue and to agree on a programme of action at the international level.

The fact that the Conference on Disarmament has demonstrated its inability to respond to its priorities should not lead it into the temptation of duplicating efforts that are being carried out successfully in other forums. The logical context for dealing with the illicit trade in firearms at the international level is the Commission on Crime Prevention and Criminal Justice. Transfers of anti-personnel landmines constitute an issue to be tackled by the follow-up machinery of the 1980 Convention on Conventional Weapons. For these topics the Conference on Disarmament lacks the necessary expertise and experience, and its decision-making mechanisms are not appropriate. Airing them in this forum does not further progress on the issues, nor does it help the Conference on Disarmament to pursue its responsibilities and priorities.

Experience gained since the negotiations on the Comprehensive Nuclear Test-Ban Treaty were concluded, almost three years ago, during which we have failed to embark on sustained substantive work, suggests that our working methods should be reviewed to adapt them to current international realities and the doubling of our membership.

A year ago, we also expressed our support for the proposal that any subsidiary bodies we set up which have not fulfilled their mandates should not require a political decision to be taken each year in order to be re-established. Until we review and agree on working methods to make our task easier, we should apply rigorously the rules of procedure that we have set ourselves and are in force. If, at the beginning of a session, consensus is not reached on the establishment of the subsidiary bodies required for initiating negotiations, special coordinators should be appointed to carry out the necessary consultations for the consensus in question, and mechanisms should be established or re-established immediately for the substantive work already agreed upon.

I wish to reiterate Mexico's full support for the immediate admission to this Conference of the five countries put forward in the report of the Special Coordinator on expansion: Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia. Their inclusion will enhance the Conference's representativeness and legitimacy, both of which lose from the unexplained delays in taking the decision.

The deadlock in this sole multilateral negotiating forum on disarmament is worrying but not surprising. The Conference is not set apart from events in the international arena, which would seem to indicate that the detente we have enjoyed during this decade is under threat. Obviously, we can only hope to make progress in the field of disarmament if States, in their relations with one another, renounce the use or threat of force, except in the cases laid down in the United Nations Charter, bring their conduct into line with

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generally accepted principles and rules of international law and strengthen the institutions that the international community has set up to maintain international peace and security.

The PRESIDENT: I thank the Under-Secretary of State for Foreign Affairs of Mexico for her important statement and for the kind words addressed to the Chair. I now invite the Commissioner of the Federal Government for Disarmament and Arms Control of Germany, His Excellency Ambassador Rüdiger Hartmann, to address the Conference.

Mr. HARTMANN (Germany): Mr. President, allow me at the outset to congratulate you most warmly on your assumption of the presidency of the Conference on Disarmament. You may count on the full support of the German delegation in your efforts to reach a decision on the start of substantive negotiations at this Conference. I should also like to thank your predecessors, Ambassador Robert Grey of the United States of America and Ambassador Victor Rodríguez Cedeño of Venezuela, for their efforts, which hopefully will come to fruition at last under your presidency. I also want to thank the Secretary-General of the Conference, Mr. Vladimir Petrovsky, his deputy, Mr. Abdelkader Bensmail, and the secretariat staff for their unfailing professional and effective assistance to the work of the Conference.

When I had the honour to speak to this Conference on 30 July last year, I felt a spirit of optimism and new departure which was subsequently confirmed by the decision to start cut-off negotiations on the basis of the Shannon mandate. This time my mood is rather one of disappointment in view of the fact that, in spite of this decision, it has not been possible to come to an agreement on the CD's programme of work during the first part of this year's session, due to controversies on nuclear issues. That is most unfortunate. In our view, whether the CD will be able to play a role at the turn of the new millennium will depend on its ability to effectively address the topical issue of nuclear weapons. But in the future it will also have to address the problem of conventional weapons, which are killing hundreds of men, women and children every day in the world's crisis areas. After decades of disarmament efforts, one could say that, with regard to weapons of mass destruction, this Conference and its predecessors have achieved remarkable results: the Non-Proliferation Treaty, the Biological and Chemical Weapons Conventions and the Comprehensive Test-Ban Treaty, to mention just the most important ones. In contrast, little attention has been paid to conventional arms. The Ad Hoc Committee on Transparency in Armaments has not been re-established since 1995, although in our view the work that remains to be done in this area is considerable. Although the "decalogue" agreed upon 20 years ago contains the item "conventional weapons", it has not been possible to put this subject on the CD agenda. We firmly believe that the CD must now develop a more balanced agenda which includes conventional weapons. I shall thus also address some topics today to which the German Government attaches great importance, which go beyond the scope of your present discussions.

Nuclear non-proliferation and the reduction of nuclear weapons remain high on the German Government's list of priorities, in particular after the very discomforting and dangerous developments which took place in this field

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last year. We believe that, in this regard, the CD could make two important contributions at this stage. For a long time, Germany has supported the idea of creating a mechanism allowing a structured exchange of information and views on nuclear disarmament. We are aware of the widely divergent positions on this issue. As a compromise, we have introduced, together with Belgium, Italy, the Netherlands and Norway, the proposal to create an ad hoc working group which would be tasked with such an exchange. The proposal reflects our best judgment on what might find consensus, at this point, within the Conference. While we are not firmly attached to every word of it, we do believe that it contains a carefully crafted balance and therefore should not be watered down or overburdened with additional elements.

Germany also believes that the most important and immediate contribution that the CD can now make to fostering nuclear disarmament is to start negotiations on a fissile material cut-off treaty. These negotiations will clearly be difficult and complex. Let me share with you some reflections on the key aspects of this project.

First, we believe that an FMCT will make a contribution not only to nuclear non-proliferation but also to nuclear disarmament. Both are intimately related; one should therefore not waste time on an academic debate on whether an FMCT is part of disarmament or of non-proliferation. The process of nuclear disarmament will, at some stage, have to control and reduce all fissile material available for military purposes. The first step in this direction is to effectively prevent its further accumulation. Whether further steps can already be included in an FMCT remains to be seen in the course of negotiations. But the need for further steps to be taken cannot be an excuse for not starting with the first.

Second, it is generally agreed that the FMCT must be non-discriminatory. This implies that, in contrast to the NPT, the FMCT will not make distinctions between different categories of States. It also implies that verification obligations and the level of assurance provided by the verification system will have to be equal for all States parties. In other words, the FMCT will have to create the same legally binding verification obligations for nuclear-weapon States and non-nuclear-weapon States, whether they are parties to the NPT or not. The FMCT will thereby contribute to reducing the discriminatory elements which are part of the present non-proliferation regime.

Third, effective verification of an FMCT is, in our view, based on two requirements. One is that the verification regime must provide a high level of assurance against contravention. The other is that costs must be reasonable. Any duplication of safeguards must therefore be avoided. The FMCT should not impose new burdens and costs on States already subject to an extended full-scope safeguard regime. From our point of view, this question will be of key importance in the future negotiations.

Fourth, previous progress in nuclear disarmament has led to the existence of considerable stockpiles of fissile material in excess of military needs. States in possession of such stockpiles should commit themselves to

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measures which would enhance transparency and foster the irreversible reduction of such stockpiles. In the meantime, States concerned which have not yet done so should stop any further production of fissile material and apply IAEA safeguards to excess material. It will also be necessary, and become even more so as nuclear disarmament continues, to warrant, by effective verification of their destruction or safe storage, that these stockpiles are never used again for the production of nuclear weapons or other nuclear explosive devices. We welcome the ongoing discussions between major nuclear States and with IAEA to find solutions in this respect. Some argue that the FMCT could not make a contribution in this area because excess fissile material is a result of specific nuclear disarmament negotiations or unilateral decisions. But the FMCT should, at the very least, create a system of safeguards against the use of any fissile material which is prohibited under its scope. It is particularly in this respect that an FMCT could make a contribution to ensuring that nuclear disarmament is irreversible.

Finally, it should be possible to adapt the provisions of the FMCT to deal with changing conditions. In the years following its conclusion, large stockpiles of nuclear warheads and of military fissile material will continue to exist. Accordingly, verification provisions will have to take this situation into account. But the FMCT should also be capable of addressing future developments through which such stockpiles will be drastically reduced. The level of assurances now considered appropriate may seem insufficient once nuclear stockpiles have reached much lower levels because by then the production of fissile material will be much more dangerous than it is now. Therefore, the FMCT should have enough built-in flexibility. Its verification regime could thus evolve in the course of time, just as the NPT safeguard system has been and still is developing.

These are our basic considerations at this stage with regard to the FMCT negotiations. I should now like to turn to another important arms control effort under way here in Geneva, though outside the scope of this Conference: the negotiations on a verification protocol to the Biological Weapons Convention. Germany has consistently supported efforts to strengthen the Convention, from the first deliberations on possible measures within the VEREX group of experts to today's negotiations in the Ad Hoc Group. With our partners in the European Union we share the view that 1999 is going to be a crucial year in this field. In order to meet the target date of the year 2000 set by the Fourth Review Conference of the BWC, it is imperative to complete substantial work on the protocol by the end of this year. In our capacity as Friend of the Chair on Confidentiality, we will actively support the efforts made by the Chairman of the Ad Hoc Group, Ambassador Tóth, to move towards the rapid and successful conclusion of these negotiations.

Under Germany's presidency, the European Union has just completed negotiations on a draft of a third Common Position within the framework of its Common Foreign and Security Policy, which will build on two previous Common Positions of 1996 and 1998. EU members thereby hope to inject fresh momentum into the negotiations in Geneva. In their new Common Position they will set ambitious but realistic and achievable goals for the Geneva negotiations. We expect the draft Common Position to be adopted by the EU Council in May this

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year. It is, however, already clear that it will contain considerably more detailed elements in the field of on-site measures or visits than hitherto, for example new details on clarification procedures. The Common Position will also call for specific measures of international cooperation and assistance in the field of biotechnology.

In the four years of its existence, the Ad Hoc Group has assembled important elements of a protocol. Declarations of relevant facilities and activities, coupled with appropriate follow-up measures, will enhance transparency and strengthen confidence with regard to compliance. To promote the accuracy of declarations, clarification procedures would allow for possible errors or omissions to be addressed. Wherever necessary, investigations must rapidly and effectively address non-compliance concerns. International cooperation in the peaceful use of biotechnology and technical assistance in the implementation of the protocol will contribute to transparency and confidence-building. The elements that have been developed must now be refined, structured and put into treaty language. The time has come to accomplish this work speedily and to make sure that biological weapons, which in the future might constitute the greatest threat to mankind, are reliably and effectively banned at the beginning of the next millennium.

I should like to move on to conventional arms control, and specifically to two subjects of interest to this Conference, namely, APMs and small arms and light weapons. Germany has consistently supported the goal of a complete ban on anti-personnel mines. Back in April 1996, at the Geneva Review Conference on Protocol II of the Convention on Certain Conventional Weapons, Germany unilaterally declared her renunciation of APMs. The destruction of German APM stockpiles, which amounted to 2.17 million items, was completed in 1998. Germany has also voluntarily destroyed 1.38 million anti-tank mines which became surplus after the end of the cold war and which, of course, are not covered by the Ottawa agreement.

Germany welcomes the recent entry into force of amended Protocol II of the CCW Convention. The comprehensive ban on APMs as provided for in the Ottawa Convention, however, is in our view the most credible means to combat the humanitarian problems caused by this scourge of mankind. Germany, together with France, was among the first States parties to submit her instrument of ratification to the United Nations Secretary-General on 23 July last year. We wholeheartedly welcome the entry into force of the Convention after a surprisingly short period, which demonstrated States' determination to stop the vicious circle by which new APMs were laid even before old minefields could be cleared, even though every effort was being made to do so. We look forward to the first conference of States parties to be held in Maputo in the first week of May and would like to thank the Government of Mozambique for hosting it. The European Union, which, in the framework of its Common Foreign and Security Policy, has adopted a Joint Action on APMs, will continue to make maximum financial and practical efforts, particularly in the field of mine clearing.

(Mr. Hartmann, Germany)

One other primordial task is now to make acceptance of the Ottawa Convention and its objectives as universal as possible. We are aware that a number of States, including some large military Powers and major regional Powers with large APM stockpiles and significant production capabilities, have decided not to adhere to the Ottawa Convention immediately. Many of them, however, have expressed their willingness to contribute to the resolution of the humanitarian aims of the Ottawa Convention by banning APM transfers. Germany, therefore, strongly supports the establishment of an ad hoc committee on APMs by the CD and an early start to negotiations banning APM transfers. Such an agreement will, of course, have to be fully compatible with the Ottawa Convention and strengthen its objectives.

In many regions of the world, the excessive and uncontrolled accumulation and spread of small arms and light weapons pose a threat to peace and security and reduce the prospects for sustainable development. The problem has such dimensions that it requires a concerted and comprehensive approach which aims, on the one hand, to drastically reduce the huge uncontrolled stocks of these weapons in crisis areas and, on the other, to effectively prevent their continued influx. As the problem of small arms has many roots, which may vary from region to region, a differentiated approach which includes preventive as well as reactive measures is called for.

Within the framework of its Common Foreign and Security Policy, the EU adopted a Joint Action on small arms and light weapons in December last year. The countries of Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Norway, Poland, Romania, Slovakia and Slovenia have associated themselves with this Joint Action. Its text has been distributed to you this morning. In this Joint Action, the EU committed itself to combating any destabilizing accumulation and spread of small arms and light weapons, cooperating to reduce existing accumulations of these weapons down to levels consistent with the respective countries' legitimate security needs, and helping to solve the problems caused by such accumulations. For the future, the EU plans - wherever possible in cooperation with afflicted countries and with other relevant international institutions - to carry out concrete projects which aim to reduce the number of surplus weapons. Furthermore, the EU intends to contribute to building consensus on the above-mentioned objectives and principles in relevant regional and international forums as a basis for regional incremental approaches and, where appropriate, on global instruments on small arms and light weapons. The European Union has already, through worldwide démarches, set out the purpose of its Joint Action to other Governments and asked for their support. First responses have been overwhelmingly positive. I am very happy to be able to use this opportunity to request again your Governments' cooperation in this field. On behalf of the European Union, I would like to ask the secretariat to circulate the text of the Joint Action as an official document of the CD.

At the beginning of my address, I used the word "disappointment" to describe my Government's feeling about the state of affairs in this Conference. In fact, the Conference reached a decision to establish an ad hoc

(Mr. Hartmann, Germany)

committee to negotiate a fissile material cut-off treaty four years ago, back in 1995. When, three years later, after the conclusion of the CTBT negotiations and two years of protracted consultations, the Conference reached a decision on an FMCT ad hoc committee, we expected that finally things would move forward. This decision has now been called into question again. It seems that decisions of this Conference, taken on the basis of consensus among the representatives of 60 nations, have a very short lifespan. Can one expect that such a course of action or rather non-action will be acceptable to the international community? Can one expect parliaments and the public at large not to voice criticism in the harshest terms? One should not be surprised if the debate on nuclear issues moves to other forums. I therefore appeal to all delegations here to cooperate in a spirit of compromise and flexibility to agree on a work programme and to make it operational at the beginning of your spring session.

May I finally draw your attention to the unresolved issue of CD expansion? A decision on the proposal of Ambassador Hofer is long overdue. We strongly urge that the Conference proceed to a decision without further delay, which will allow us to welcome Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia to this Conference.

The PRESIDENT: I thank the Commissioner of the Federal Government for Disarmament and Arms Control of Germany for his important statement and for the kind words addressed to the Chair. I now give the floor to the representative of the Netherlands, Ambassador Majoor.

Mr. MAJOOR (Netherlands): Mr. President, since it is the first time that I speak under your tenure, allow me first to congratulate you on your assumption of the presidency at this crucial time towards the end of our first session of the year. You can count on the full support of my delegation in your commendable efforts to move the Conference towards substantive work. I would like to include in my thanks your predecessors during this session, Ambassadors Grey and Cedeño. I would also like to warmly welcome our new colleagues from South Africa, France and Australia. My delegation looks very much forward to continuing to work closely together with them and with their delegations. I also wish to express my appreciation to the Mexican Under-Secretary, Ambassador Carmen Moreno, and the German Commissioner for Disarmament and Arms Control, Ambassador Rüdiger Hartmann, for their - as always - substantive and thought-provoking contributions to our discussions.

I take the floor briefly to inform the Conference that my Government deposited on 23 March - the day before yesterday - its instrument of ratification of the Comprehensive Test-Ban Treaty with the Secretary-General of the United Nations, thus becoming the thirty-first State which has now ratified the CTBT.

We have also completed the procedures for parliamentary approval of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, better known as the Ottawa

(Mr. Majoor, Netherlands)

treaty. We expect to deposit our instrument of ratification with the Secretary-General of the United Nations in the next few weeks, well before the First Conference of States Parties to the Treaty that will take place in the beginning of May in Maputo.

And lastly we expect in the coming few days to deposit in New York our consent to be bound by Protocols II and IV of the 1980 Convention on Certain Conventional Weapons.

The PRESIDENT: I thank the Ambassador of the Netherlands for his important announcement and for the kind words addressed to the Chair. Does any other delegation wish to take the floor? I give the floor to the representative of Turkey.

Mr. KESKINTEPE (Turkey): Mr. President, in the absence of my Ambassador, allow me to extend to you our congratulations on your assumption of the presidency of the Conference on Disarmament.

It was not our intention to take the floor this morning. However, in view of the statements by two distinguished speakers, the Under-Secretary for Foreign Affairs of Mexico and the German Commissioner for Disarmament and Arms Control, reminding us that we have still to re-establish the Ad Hoc Committee on FMCT after - I might add - an exhausting 10 weeks without result, and calling on the CD to begin negotiations, my delegation would like to associate itself with this sentiment. We believe that delicate compromises, reached after painstaking efforts by all delegations, should not be sacrificed in the name of linkages which have proved unproductive. We earnestly hope that the necessary flexibility and a spirit of compromise will be displayed by all delegations at the start of the second part of this year's session so that the Conference would expeditiously begin FMCT negotiations.

The PRESIDENT: I thank the representative of Turkey for his statement. That concludes my list of speakers for today. Before adjourning the meeting, I should like to share some of my feelings.

We have reached the end of the first part of our annual session without being able to translate our agenda into a practical programme of work. Neither the intensive efforts of my two predecessors, Ambassador Grey of the United States of America and Ambassador Rodríguez Cedeño of Venezuela, nor my own attempts aimed at developing a consensus on how to deal with the two outstanding issues on our programme of work, namely, nuclear disarmament and prevention of an arms race in outer space, have yet resulted in a formula acceptable to all which would allow us to start our substantive work. The difficulties we are faced with are known to all. What is now required is for all of us to make full use of the inter-sessional period in order to intensify our consultations with a view to bridging the existing divergence of views. You can rest assured that, on my part, I will spare no effort in exploring all possible avenues which would allow the Conference to fully play its role as the sole negotiating forum of the international community.

(The President

As agreed, we will hold a plenary meeting tomorrow at 3.30 p.m. sharp, at which the President of the People's Republic of China, His Excellency Mr. Jiang Zemin, will address the Conference. In this connection, I should again like to remind all delegations that, on that occasion, stringent security measures will be in force, and I would kindly request that they carry their United Nations identity badges with them and be present in the Council Chamber at 3.15 p.m.

This concludes our business for today. The next plenary meeting of the Conference will be held tomorrow, Friday 26 March 1999, at 3.30 p.m.

The meeting rose at 11.15 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.822
26 March 1999

ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND TWENTY-SECOND PLENARY MEETING

Held at the Palais des Nations, Geneva
on Friday, 26 March 1999, at 3.35 p.m.

President: Mr. Nguyen Quy Binh (Viet Nam)

GE.99-61116 (E)

The PRESIDENT: I declare open the 822nd plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of all of us, a very warm welcome to the President of the People's Republic of China, His Excellency Mr. Jiang Zemin, who will be addressing the Conference today. The Conference is highly appreciative of the fact that President Jiang Zemin found it possible to be with us today despite his very heavy schedule. His visit to the Conference is a testimony to the importance he personally attaches to the multilateral approach to arms control and disarmament, and to the success of our common endeavours.

I now invite the President of the People's Republic of China, His Excellency Mr. Jiang Zemin, to address the Conference.

Mr. JIANG (China) (translated from Chinese): The Conference on Disarmament located along Lake Leman in Geneva is the single multilateral disarmament negotiating body in the world today, and as such it plays an indispensable role in safeguarding world peace and security. What you are doing is arduous but lofty work.

Looking back on the twentieth century, we see a century of unprecedented wars and calamities and of the tenacious struggle by people of all countries to achieve and safeguard world peace. The two world wars and the cold war, which lasted for more than four decades, inflicted untold suffering and pain on mankind and also left behind profound lessons.

Since the end of the cold war, major and profound changes have taken place in the international situation. The world is moving deeper towards multipolarity and economic globalization which is, on the whole, conducive to the relaxation of the international situation and to world peace and development.

The turn of the century affords us a good opportunity to sum up historical experience and lessons and shape a lasting peace for the future. An overview of the current global reality reveals that the cold war mentality still lingers on and hegemonism and power politics manifest themselves from time to time. The tendency towards closer military alliance is on the rise. New forms of "gunboat diplomacy" are rampant. Regional conflicts have cropped up one after another.

When air strikes and armed intervention were launched against Kosovo and other parts of Yugoslavia two days ago, I promptly expressed my deep concern and worry, and called for the immediate cessation of military strikes so as to bring the Kosovo issue back to the track of political settlement. I hereby solemnly reiterate that the military actions against Kosovo and other parts of Yugoslavia violate the norms governing international relations and are detrimental to the peace of the Balkan region. The international community should therefore make joint efforts in order to defuse the crisis as soon as possible.

(Mr. Jiang, China)

On the issue of arms reductions, I have to point out with regret that military Powers have not cut down their state-of-the-art weaponry, not even a single piece. Furthermore, they are still developing it. International efforts against nuclear proliferation are faced with severe challenges. Under these circumstances, the question of how to advance the disarmament process and how to safeguard global security cannot but become an important and pressing task that demands the attention of all countries in the world.

History tells us that the old security concept based on military alliances and the build-up of armaments will not help ensure global security. Still less will it lead to a lasting world peace. This, then, requires the cultivation of a new security concept that meets the need of our times and calls for vigorous efforts to explore new ways to safeguard peace and security.

We believe that the core of such a new concept of security should be mutual trust, mutual benefit, equality and cooperation. The five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality, mutual benefit and peaceful coexistence, and other universally recognized norms governing international relations make up the political foundations underpinning world peace. Mutually beneficial cooperation and common prosperity constitute the economic guarantee for world peace. Dialogue, consultations and negotiations by parties concerned, on an equal footing, are the correct approach to solving disputes and safeguarding peace. The establishment of a new concept of security and a new just and fair international order is the only way to fundamentally promote the healthy development of the disarmament process and provide a guarantee for international peace and security.

The aim of disarmament is to increase security, but security must be universal for all countries to enjoy. All countries, regardless of their size, strength and wealth, should have an equal right to security. If the great majority of developing countries cannot have security, then the entire world will never be tranquil. Disarmament should not become a tool for stronger nations to exert control over weaker ones, still less should it be a means for a handful of countries to optimize their armaments in order to seek unilateral security. To reduce the armaments of others whilst keeping one's own intact, to reduce the obsolete while developing the state-of-the-art, or even to sacrifice the security of others for one's own security and to require other countries to scrupulously abide by treaties while giving oneself freedom of action by placing domestic laws above international law: such double standards make a mockery of international disarmament efforts and run counter to the fundamental purposes and objectives of disarmament.

Historical experience shows that an unrestrained arms build-up will surely hamper economic growth and will not help maintain peace and security. Disarmament should also serve to release more resources and create better conditions for the economic development of all countries, developing countries in particular. One of the criteria to judge a disarmament treaty is to see whether it facilitates the economic growth of various countries, especially

(Mr. Jiang, China)

that of developing countries, and whether it helps to strengthen international cooperation in science and technology. No disarmament measure will be able to garner universal support or have lasting viability if it is taken at the expense of the economic or scientific development of most countries.

Disarmament is not the prerogative of the few. All countries have the right to participate therein on an equal footing. Multilateral disarmament treaties are the result of negotiations through universal participation and therefore reflect the common will of the international community. Some export control regimes by a small group of countries can in no way compare with these international treaties, either in impartiality or in universality. To maintain bloc arrangements after the conclusion of multilateral treaties, and even place the former above the latter, will only weaken the authority and universality of multilateral treaties and hence affect the healthy development of the international cause of disarmament. Therefore, vigorous efforts should be made to strengthen the role of the disarmament bodies of the United Nations so that multilateral treaties may gradually replace bloc arrangements.

Over the past 50 years and more, hanging like Damocles' sword above mankind, nuclear weapons have never ceased to threaten the survival of humanity. The end of the cold war has not brought about the disappearance of nuclear weapons. The nuclear reduction process by the United States and Russia has become bogged down in stalemate after a brief period of progress. Nuclear-weapon tests were again conducted even after the conclusion of the CTBT. These developments have demonstrated clearly that today, and for a long time to come, nuclear non-proliferation and nuclear disarmament remain an important task for the international community. The accomplishment of this task calls for joint unremitting efforts by the international community. We believe that, at this stage, efforts should be made to achieve progress particularly in the following areas.

First, as countries possessing the largest nuclear arsenals in the world, the United States and Russia shoulder greater responsibilities for nuclear disarmament. The two countries should effectively implement the nuclear reduction treaties they have concluded, and on that basis continue to substantially cut down their respective nuclear arsenals, thereby paving the way for the other nuclear-weapon States to participate in the multilateral nuclear disarmament process.

Second, the NPT is both the basis of the international nuclear non-proliferation regime and the prerequisite for progress in the nuclear disarmament process. The NPT must be observed in full and in good faith. Otherwise, international efforts for nuclear disarmament and non-proliferation will be seriously hampered. Those countries which have not yet joined the NPT should do so at the earliest possible date so as to make the treaty truly universal.

The prevention of nuclear weapons proliferation and the complete and thorough destruction of nuclear weapons are mutually complementary. The complete elimination of nuclear weapons is the objective that we are all striving for, while the prevention of nuclear weapons proliferation is an

(Mr. Jiang, China)

effective means and a necessary stage to that end. It was in line with this understanding that China supported the indefinite extension of the NPT. However, the indefinite extension of the NPT has by no means given nuclear-weapon States the prerogative to retain their nuclear weapons permanently. On the contrary, nuclear-weapon States should faithfully fulfil their nuclear disarmament obligations so as to promote, with concrete actions, the early realization of complete nuclear disarmament.

Third, nuclear-weapon States should, as soon as possible, undertake unconditionally and in a legally binding manner not to be the first to use nuclear weapons or use nuclear weapons against non-nuclear-weapon States. On the first day when China came into possession of nuclear weapons, it openly announced that it would never be the first to use nuclear weapons at any time and under any circumstances. Thereafter, China has also pledged in an unequivocal manner that it will not use or threaten to use nuclear weapons against non-nuclear-weapon States. Since the non-nuclear-weapon States have explicitly forgone the development of nuclear weapons, it goes without saying that they should be free from the threat of nuclear weapons. Now that the cold war has ended and the relations between nuclear-weapon States have improved, the conditions are now ripe for them to commit themselves to mutual no-first-use of nuclear weapons. China is ready to push actively for the early conclusion of an international legal instrument on this issue.

Fourth, efforts should be made for the early entry into force of the CTBT according to the CTBT provisions. The recent nuclear tests have made the early entry into force of the treaty an even more pressing task. As one of the first countries to have signed the treaty, China will continue to work for the early entry into force of the treaty. The Chinese Government will soon officially submit the treaty to the National People's Congress for ratification.

Fifth, negotiations should be conducted as soon as possible for the conclusion of a universal and verifiable fissile material cut-off treaty. Once concluded, the FMCT will be yet another major achievement after the CTBT in the promotion of nuclear disarmament and the prevention of nuclear proliferation. All of you present here are making intensive efforts to this end, and I wish you success.

Sixth, on the basis of the above efforts, a convention providing for a comprehensive ban on nuclear weapons should be negotiated. In view of the fact that the two types of weapons of mass destruction of biological and chemical weapons have been comprehensively prohibited, there is no reason why nuclear weapons, which are of greater destructive force, should not be comprehensively banned and thoroughly destroyed. What it takes to reach this objective is nothing more than strong political will.

To eliminate nuclear weapons and root out the dangers of nuclear war is the common wish of people throughout the world. It is also an objective that the Chinese Government and people have been unswervingly striving for. Let us all work together for the ultimate realization of a nuclear-weapon-free world.

(Mr. Jiang, China)

Progress in nuclear disarmament cannot be achieved without global strategic equilibrium and stability. The research, development, deployment and proliferation of sophisticated anti-missile systems and the revision of, or even withdrawal from, the existing disarmament treaties on which global strategic equilibrium hinges will inevitably exert an extensive negative impact on international security and stability and trigger a new round of the arms race in new areas, thereby seriously obstructing or neutralizing international efforts of nuclear disarmament and nuclear non-proliferation. The international community should pay close attention to this and adopt the necessary measures to pre-empt such dangerous developments.

The Chinese nation is a peace-loving nation. The tapestry of the Hall of Prayer for Harvest in the Temple of Heaven in Beijing, which is on display in the Palais des Nations as a gift from China to the United Nations, gives expression to the wish of the Chinese people for good weather, bumper harvests, national stability and the happiness of all peoples throughout the world. To work for peace, stability, cooperation and development is the common aspiration of all peace-loving countries and peoples. The planet we are living on should become a home where all peoples can live together in amity and peace and can enjoy their life and work. We must remember the bitter lessons of the two world wars and never waver in our efforts for world peace and security.

As a famous Tang Dynasty poet, Li Bai, has written: "A time will come to ride the wind and cleave the waves. I will set my cloud-white sail and cross the sea which raves." I am confident that with the common effort of the world's people, a genuine will of the statesmen of all countries and hard work by all of you, the disarmament cause will surely overcome one obstacle after another and achieve continuous progress and the world will have a better future.

The PRESIDENT: I thank the President of the People's Republic of China for his important statement.

This concludes our business for today and the first part of our annual session. Since Thursday, 13 May 1999 is a holiday and the Palais des Nations will be closed the next plenary meeting of the Conference will be held on Tuesday, 11 May 1999, at 10 a.m.

The meeting rose at 4.10 p.m.

CONFERENCE ON DISARMAMENT

CD/PV.823
11 May 1999

ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND TWENTY-THIRD PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 11 May 1999, at 10.20 a.m.

President: Mr. Nguyen Quy Binh (Viet Nam)

GE.99-61591 (E)

The PRESIDENT: I declare open the 823rd plenary meeting of the Conference on Disarmament and the second part of its 1999 session.

At the outset, I should like to express our sympathy and condolences to the Chinese Government and the families of the victims of the recent incident involving the Chinese Embassy in Belgrade. On this occasion, I should like to invite you to observe a minute of silence.

* * *

Secondly, allow me to welcome the new representatives to the Conference on Disarmament, Ambassador Mohammed Al-Douri of Iraq and Ambassador Kálmán Petócz of Slovakia, and assure them of our cooperation and support.

I have on my list of speakers for today the representatives of the Russian Federation, China, Pakistan and Kenya. I give the floor to the representative of the Russian Federation, Ambassador Vasily Sidorov.

Mr. SIDOROV (Russian Federation) (translated from Russian): Mr. President, first of all I would like to welcome you to the responsible post of President of the Conference during an important period of its work, at the beginning of the second part of this year's session of the Conference. I would like to wish you every success in your endeavours to achieve progress in the activities of the Conference and to assure you of the readiness of my delegation for constructive cooperation. I would like to express my sincere gratitude to your predecessors during the current session, Ambassadors Robert Grey and Victor Rodríguez Cedeño, and also to pay tribute to the Secretary-General of the Conference, Mr. Vladimir Petrovsky, his deputy Mr. Abdelkader Bensmail and all the secretariat staff for their professional and competent assistance in our work. I cordially welcome colleagues who have recently joined us. I hope to continue useful cooperation with their delegations.

My statement today is aimed at drawing the attention of the Conference to the joint Russian-Chinese press communiqué on consultations held in Moscow on 14 April of this year on issues related to the 1972 ABM Treaty. At the request of the missions of China and Russia, the text of the communiqué was issued as an official document of the Conference with the symbol CD/1584 on 29 April 1999.

Although the 1972 ABM Treaty has a small number of parties, it is difficult to overestimate its tremendous significance as a factor for strategic stability and international security. The implementation of plans for the deployment of a national anti-missile defence system would constitute a violation of a fundamental obligation under the ABM Treaty - the obligation not to deploy ABM systems for the defence of national territory - and would lead to the de facto abrogation of the treaty. Such a development would inevitably lead to the destruction of the entire system of international treaties in the disarmament field and could actually trigger a new round of the strategic arms race, including in outer space, and undermine the existing non-proliferation regime. Thus, in our view, it is not only the actual

(Mr. Sidorov, Russian Federation)

parties to the ABM Treaty which have a stake in preserving it. We believe that common efforts will enable us to prevent the alarming development of the situation regarding the treaty and to avert its collapse.

I would like to take this opportunity to express our deep condolences to the delegation of China in connection with the death of Chinese diplomats in Belgrade as a result of the barbaric bombings by NATO. In a statement the President of the Russian Federation, B. Yeltsin, noted in this regard that "Russia is shocked at the NATO bombing of the Embassy of the People's Republic of China in Belgrade. There is and can be no justification for this blatantly arbitrary act." Russia firmly condemns NATO's actions against sovereign Yugoslavia which are causing increasing numbers of casualties among the civilian population, a deepening of the humanitarian crisis in the region and the undermining of the system of international relations established after the Second World War. Russia strongly calls for the immediate cessation of the NATO military action against Yugoslavia and a political settlement of the Kosovo problem. To achieve that goal, joint constructive decisions must be sought.

The PRESIDENT: I thank the Ambassador of the Russian Federation for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Li Changhe.

Mr. LI (China) (translated from Chinese): Mr. President, the Conference on Disarmament began the second part of this year's session yesterday after a month's break. Today is the first meeting of the plenary after the break. The Chinese delegation highly appreciates the valuable work you conducted during the last two weeks of the first part of the session and is pleased to welcome you to continue the good work in the remaining two weeks of your presidency. My delegation will continue to offer you its full support and cooperation. I would also like to take this opportunity to express my welcome to the newly arrived ambassadors of Iraq and Slovakia. My delegation will be most pleased to cooperate with them.

Please allow me to express to you, with deep sadness and indignation, our thanks for suggesting at the start of our meeting that the Conference should express sympathy and condolences to the embassy personnel who suffered in the missile attack on the Chinese Mission to the Federal Republic of Yugoslavia four days ago.

The CD began its work this year in a very complicated and unfavourable international environment. A series of developments has cast a deep shadow over the work of the CD. First, three days after the beginning of the first part of our session, a certain country announced its plan to speed up its work on a "national missile defence" and "theatre missile defence" and demanded to revise the ABM Treaty. This decision will have a profound negative influence on the global and regional strategic balance and stability, and trigger a new round of the arms race to the detriment of the international disarmament process.

(Mr. Li, China)

On 14 April, the Foreign Ministries of China and the Russian Federation issued a joint communiqué on the bilateral consultations concerning issues related to the ABM Treaty. As instructed by my Government, on 26 April the Chinese delegation to the CD, together with the Russian delegation, wrote to Mr. Petrovsky, Secretary-General of the Conference on Disarmament, and requested that the above-mentioned communiqué be issued as an official document of the CD. The distinguished Ambassador from the Russian Federation has already made a reference to that effect.

Next, three days before the end of the first part of our session, the aerial bombardment of the sovereign State of the Federal Republic of Yugoslavia began. Up to now there have been 48 successive days of indiscriminate bombing, causing large-scale civilian casualties and hundreds of thousands of refugees fleeing their homes. This is the biggest humanitarian disaster since the end of the cold war. The United States-led NATO must stop forthwith its military activities against the Federal Republic of Yugoslavia so that the question of Kosovo can be brought back out to the paths of political settlement as early as possible.

Third, the Chinese embassy in the Federal Republic of Yugoslavia was attacked by missiles last weekend, killing 3 people and wounding more than 20. The embassy building was severely damaged. All of this further worsened the situation in this region and widened the Kosovo crisis. The Chinese Government issued a solemn statement which pointed out that the gross violation of Chinese sovereignty was a rare action in diplomatic history, and had trampled the Vienna Convention on Diplomatic Relations as well the basic norms of international relations. The Chinese Government and people expressed their utmost indignation and strong condemnation of the barbaric act. The United States-led NATO should bear all responsibility arising therefrom, and the Chinese Government reserved the right to take further action on the matter.

In the past few days, the broad masses of the Chinese people have expressed their strong opposition to power politics and hegemonism and their firm will and determination to safeguard State sovereignty at mass demonstrations and public gatherings held in various parts of China. At the same time, the barbaric bombing of the Chinese embassy in Yugoslavia has also aroused strong reactions and concern around the whole world.

The bombing of the Chinese embassy in Yugoslavia is an extremely grave event. The United States-led NATO must provide convincing clarifications and explanations and bear the full political, legal and financial responsibility. The Chinese Government and its people uphold justice, love peace and are ready to develop mutually beneficial and friendly cooperative relations with other countries. However, we will not tolerate any bullying or aggression, nor do we fear any threat or pressure.

On the last day of the first part of this year's CD session, Chinese President Jiang Zemin came to our plenary and made an important speech. That scene is still vivid in our memory, and his voice is still reverberating in this hall. Touching on the world reality of today, President Jiang pointed

(Mr. Li, China)

out that "the cold war mentality still lingers on and hegemonism and power politics manifest themselves from time to time. The tendency towards closer military alliance is on the rise. New forms of 'gunboat diplomacy' are rampant. Regional conflicts have cropped up one after another. ... Military Powers have not cut down their state-of-the-art weaponry. ... Under these circumstances, the question of how to advance the disarmament process and how to safeguard global security cannot but become an important and pressing task that demands the attention of all countries in the world."

He pointed out that "the old security concept based on military alliances and the build-up of armaments will not help ensure global security. Still less will it lead to a lasting world peace. This, then, requires the cultivation of a new security concept that meets the need of our times and calls for vigorous efforts to explore new ways to safeguard peace and security. ... The core of such a new concept of security should be mutual trust, mutual benefit, equality and cooperation. The five principles of mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality, mutual benefit and peaceful coexistence, and other universally recognized norms governing international relations, make up the political foundations underpinning world peace. Dialogue, consultations and negotiations by parties concerned, on an equal footing, are the correct approach to solving disputes and safeguarding peace. The establishment of a new concept of security and a new just and fair international order is the only way to fundamentally promote the healthy development of the disarmament process and provide a guarantee for international peace and security."

Taking an overall view of recent developments in the international situation, one cannot but feel concern at the future development of the international situation and its negative impact on global arms control and disarmament, including the work of the Conference on Disarmament.

The PRESIDENT: I thank the Ambassador of China for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Pakistan, Ambassador Munir Akram.

Mr. AKRAM (Pakistan): Mr. President, let me begin by first of all congratulating you on the diligence with which you have discharged your responsibilities and conducted consultations with a view to promoting early agreement on the programme of work of this Conference. We pledge to you our continued support and cooperation. I would also like to take this opportunity to welcome our distinguished colleagues, the Ambassadors of Iraq and Slovakia.

My delegation has listened carefully to the statements made this morning by the distinguished Ambassadors of China and the Russian Federation. We share the concerns expressed over certain recent developments which will have far-reaching implications for the work of this Conference, and indeed for international security, especially as a result of new ideas and doctrines which have been propounded to serve the security interests of countries belonging to a particular military alliance.

(Mr. Akram, Pakistan)

Over the last few years the Pakistan delegation has repeatedly expressed its serious concerns that the nuclear threat is increasing rather than diminishing in the post-cold-war era. This was because some of the nuclear-weapon States have sought to create new and questionable justifications to retain their nuclear weapons indefinitely. Nuclear deterrence has been propagated against unforeseen threats and even against non-nuclear-weapon States. The threat of other methods of mass destruction has been exaggerated to create further justifications for the possible use of nuclear weapons even against non-nuclear-weapon States, thus in effect negating the security assurances which have been offered by the nuclear-weapon States, including under two resolutions of the Security Council.

Unfortunately, the new strategic concept of a military alliance confirms our apprehensions. This new strategic concept will deal a setback to endeavours to promote disarmament and non-proliferation. It will result in other nuclear-weapon States not belonging to this alliance adopting policies that respond to what they perceive to be their own security interests.

We note in particular that, in reaffirming their willingness to share roles in the strategy of this military alliance, the non-nuclear-weapon States members of this alliance have confirmed that they rely on nuclear weapons as guarantors of their security as much as the nuclear-weapon States themselves. They have also demonstrated their double standards on the issue of nuclear proliferation. We note that some of the strongest denunciations of the nuclear tests which took place in South Asia last year came from these very non-nuclear-weapon States members of this military alliance.

The plans to deploy national missile defences and theatre missile defences and the moves to abrogate or change the Anti-Ballistic Missile Treaty could lead to serious destabilization of relations between the nuclear-weapon States and produce grave consequences for certain regions, such as South Asia and elsewhere. We trust that this Conference will be enabled to examine these developments in order to take expeditious action to arrest these.

The spokesman of the Pakistan Foreign Office has expressed deep sympathies and condolences on behalf of the people and Government of Pakistan to the people and Government of the People's Republic of China at the loss of lives and damage to the Chinese Embassy during the NATO air strikes on Belgrade. We are anguished by this sad incident. My delegation wishes to convey our heartfelt condolences and sympathies to our Chinese friends. We hope that the Conference on Disarmament would also do so in appropriate terms.

Pakistan has repeatedly emphasized the need for a just and early political solution to the present crisis in Kosovo. Morality must be buttressed by international legality. The United Nations Security Council should play an effective role in the resolution of this crisis in accordance with its responsibilities under the United Nations Charter. This is the best guarantee for the preservation and promotion of international peace and security.

(Mr. Akram, Pakistan)

The Charter imposes special responsibilities on the permanent members of the Security Council for the preservation of peace and security. Stable and normal relations between them are an essential prerequisite for the maintenance of such international peace and stability.

The bombing of the Chinese Embassy is a grave and regrettable incident. We trust that commensurate amends will be made for the loss of lives and property and the human suffering. This will be essential to overcome the negative effects of the incident. Pakistan enjoys a close, long-standing and all-weather friendship with the People's Republic of China. We cherish this relationship. We also have a tradition of friendship and close cooperation with the United States of America. We trust that this sad incident will not reverse the process of building cooperative relations between these two great Powers on the basis of sovereignty, equality and mutual respect.

The PRESIDENT: I thank the Ambassador of Pakistan for his statement and for the kind words to the Chair. I now give the floor to the representative of Kenya, Ambassador Kipkorir Aly Azad Rana.

Mr. RANA (Kenya): Mr. President, let me begin by congratulating you on the enthusiastic manner in which you have assumed the presidency and the diligent manner by which you are carrying out the work of the CD. Be assured that the Kenyan delegation will continue to support you during your presidency. Allow me also to welcome our new colleagues, the Ambassadors of Iraq and Slovakia, to the work of the CD.

It is now well over one month since events took a new turn in the crisis in Kosovo. Prior to this point, the various parties to the conflict engaged in negotiations in Rambouillet, France, which were intended to find a peaceful solution to the conflict.

We did consider these talks to be the appropriate way to solve the problem in Kosovo. We kept track of them and hoped that they would be sustained in order to obtain a fruitful outcome. We were therefore very disappointed when a different approach, and a rather violent one for that matter, was adopted. This use of force has indeed led to an escalation of the conflict such that it could represent a formidable threat to international peace and security.

As would be expected in a war situation, it is unfortunately innocent civilians who normally bear the brunt of the fighting. In Kosovo, the whole world has witnessed, and in fact continues to see daily, gruesome images of thousands of children, women and men, old people compelled to flee their homes and seek refuge in overcrowded camps in neighbouring countries.

Even worse has been the rising toll in civilian casualties. Hundreds of civilians have been hit directly or indirectly, and killed in the fighting. More are likely to suffer a similar fate should the military strikes be left to continue unabated. Damage to property has been similarly devastating.

(Mr. Rana, Kenya)

The recent bombing of the Chinese Embassy in Belgrade in which three of their nationals died demonstrated the danger of continuing this bombardment, which can further escalate the conflict through such accidents.

My delegation would like to express our sincere condolences to the People's Republic of China and all other nationalities who have suffered casualties as a result of this bombing.

Kenya has always advocated a peaceful solution to conflicts. This is the surest way of finding a lasting solution. Solutions based on the use of force are only likely to worsen the situation.

It is out of this firm belief in the peaceful settlement of disputes that the President of the Republic of Kenya, His Excellency Daniel Toroitich Arap Moi, has appealed to all the parties involved in the conflict to reconsider their approach and refrain from the use of force, including the possible deployment of ground troops.

I would now like to read out the short press statement that His Excellency the President of the Republic of Kenya issued on this conflict.

> "We have followed the events in Yugoslavia arising out of the crisis in Kosovo with great concern and dismay. The human suffering, loss of life and destruction of property are very worrying.
>
> "I appeal to President Bill Clinton, President of the United States of America, and Prime Minister Tony Blair of the United Kingdom, and through them to other leaders of the North Atlantic Treaty Organization (NATO), as well as to President Boris Yeltsin, President of Russia, and President Slobodan Milošević of Yugoslavia, to find other methods of resolving the conflict in Kosovo, as the current approach does not appear to have had the expected results. It should be clear from the damage done to property and loss of human life that the time has come when peaceful means should be used to try and resolve the problem. Diplomacy and negotiations should be given a chance to address the causes of the crisis. The current conflict runs the risk of threatening the very international system that has maintained peace since World War II. We urge all sides to exercise maximum flexibility.
>
> "It is important for all parties concerned to re-evaluate their approach, effect a cease-fire and turn away from the use of force, including that of using ground troops, which has the potential of escalating the war.
>
> "I have met with the Ambassadors of the United States, Russia, Yugoslavia and the High Commissioner of the United Kingdom to convey my appeal to their heads of State and Government."

This statement was issued last month.

The PRESIDENT: I thank the Ambassador of Kenya for his statement and for his kind words to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor? I give the floor to the representative of Slovakia.

Mr. PETÓCZ (Slovakia): Mr. President, let me first extend to you my delegation's warmest congratulations on your assumption of the presidency of the Conference on Disarmament. I should also like to take this opportunity to greet Mr. Vladimir Petrovsky, Secretary-General of the Conference on Disarmament and Personal Representative of the Secretary-General of the United Nations, his deputy, Mr. Abdelkader Bensmail, and all my distinguished colleagues here in this hall, as well as all the members of the CD secretariat.

Since I reserve the right to deliver a substantive statement at a later stage, I have asked for the floor today in order to express my heartfelt gratitude for the kind words of welcome I have just received in my capacity as the new Ambassador of Slovakia from you, Mr. President, and from my distinguished colleagues, the Ambassadors of the Russian Federation, China, Pakistan and Kenya. May I assure you all of my delegation's continuing support, readiness and cooperation in the fulfilment of our common endeavour?

The PRESIDENT: I thank the Ambassador of Slovakia for his statement and the kind words to the Chair. I give the floor to the Ambassador of India.

Ms. KUNADI (India): Mr. President, since this is the first time my delegation is taking the floor under your presidency allow me to express the satisfaction of India in seeing you, a representative of a fellow non-aligned country, chairing the Conference on Disarmament at this important juncture. I would like to take this opportunity to welcome our new colleagues in the Conference on Disarmament since we last spoke in the plenary, that is, the Ambassadors of Indonesia, France, South Africa, Australia, Slovakia, Iraq, Israel, Venezuela, Sweden, Colombia and Argentina. We wish them all success during their stay in Geneva. Our appreciation also to the Secretary-General of the Conference, Mr. Vladimir Petrovsky, the Deputy Secretary-General, Mr. Abdelkader Bensmail, and the secretariat for all their assistance in facilitating our work.

As we commence the second part of the annual session of the CD, all of us here are all too aware of developments relating to the Federal Republic of Yugoslavia that we witnessed in the inter-sessional period, including those of last weekend. The Government of India has on several occasions and at the appropriate forum expressed its position on these events.

We would like to join other delegations which have spoken before us in expressing our sympathy and condolences to the delegation of China.

The PRESIDENT: I thank the Ambassador of India for her statement and the kind words to the Chair. I give the floor to the Ambassador of China.

Mr. LI (China) (translated from Chinese): The Chinese delegation sincerely thanks Ambassador Sidorov of the Russian Federation, Ambassador Munir Akram of Pakistan, Ambassador Kipkorir Aly Azad Rana of Kenya and, now, the Indian Ambassador for the condolences and sympathy expressed for those who died at the Embassy of China to the Federal Republic of Yugoslavia. I would also like to thank the other delegations for their condolences and sympathy expressed to me in various ways and forms. I will transmit their condolences and sympathy to my Government and the families of the victims.

The PRESIDENT: I thank Ambassador Li for his statement.

As you will recall, we ended the first part of the annual session in March without succeeding in reaching agreement on the programme of work of the Conference. The two issues that prevented agreement on the programme of work relate to appropriate mechanisms for dealing with nuclear disarmament and prevention of an arms race in outer space, despite the intensive consultations held by my predecessors and myself on the various proposals on the table. I intend to continue my consultations in the time remaining to me as President, with a view to developing a consensus which would allow us to start our substantive work as soon as possible.

This concludes our business for today. The next plenary meeting of the Conference will be held on Thursday, 20 May 1999, at 10 a.m.

The meeting rose at 11 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.824
20 May 1999

ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND TWENTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 20 May 1999, at 10.20 a.m.

President: Mr. Nguyen Quy Binh (Viet Nam)

GE.99-61774 (E)

The PRESIDENT: I declare open the 824th plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representative of the United States of America. I give the floor to the representative of the United States of America, Ambassador Robert Grey.

Mr. GREY (United States of America): Mr. President, this is the first time I have spoken since you assumed your current duties, and I would like to congratulate you on the energy and imagination you have shown in presiding over the work of the Conference. I regret that overall circumstances have not favoured your efforts, and in doing so I am sure I speak for many others. In any case, I assure you of my delegation's full cooperation as you complete your term of service.

Today, on behalf of the United States, the United Kingdom, and France, I would like to introduce a proposal on the Conference's work programme and ask that it be circulated as an official document. The proposal preserves many elements of the work programme proposal I tabled on 2 February, at a time when I was seated where you are sitting now. But in all frankness, Mr. President, I greatly prefer my own chair and believe that by now, you fully understand why.

The new proposal differs from the old one in two important ways. First, the new proposal starts with a draft declaration that the President would make on the day the Conference proceeds to adopt the decision, in order to clarify and explain the presidency's plans for intensive consultations on topics related to nuclear disarmament. This draft declaration resembles the Presidential statement delivered on 26 March 1998 (CD/1500), but the new wording incorporates a number of enhancements we hope will be helpful.

The sponsors are proposing these clarifications because we believe the presidency's consultations this year should not be limited to procedural factors. To the contrary, we are seeking to foster informal dialogue on substantive endeavours leading toward nuclear disarmament. To us the new text seems quite clear about that, but others might be able to advance suggestions that may serve to reinforce that point.

The second major improvement appears in paragraph 2 of the draft decision we propose. According to that paragraph, the Conference would decide to re-establish, under item 1 of the agenda, entitled "Cessation of the nuclear arms race and nuclear disarmament", the Ad Hoc Committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices.

Up to this point, the wording is the same as in the Conference's decision of 11 August 1998 contained in CD/1547, as well as in operative paragraph 1 of United Nations General Assembly resolution 53/77 I - which was adopted without a vote last 4 December. But in the next sentence of its

(Mr. Grey, United States)

decision, the Conference would instruct the Ad Hoc Committee to commence negotiations immediately with a view to their early conclusion, and then go on to decide that the Ad Hoc Committee shall meet in successive sessions of the Conference until its work is completed, without the need for annual reauthorization.

In considering our proposal, it is important to bear in mind the clear desire of the international community that negotiations be concluded at an early date, as evident from the General Assembly resolution adopted without a vote last fall. But given the subject's well-known complexities, and because of the limited time left in this year's session, it is impossible to believe that negotiations will be concluded before the Conference adjourns in September. Work on the treaty will have to continue during next year's session of the Conference, and many observers predict that further negotiations will be required in one or more years that follow.

The sponsors of the proposal cannot believe the international community intends for negotiations to prohibit the production of fissile material for use in nuclear weapons or other nuclear explosive devices to proceed in fits and starts. It would be irresponsible for the Conference to make limited progress this year, then refrain from returning to the task promptly and energetically when it reconvenes in January.

Midway through this year's session, we are confronted with a salient and disturbing fact: members of the Conference have not yet heeded the General Assembly's clear and uncontested call for prompt resumption of negotiations on a fissile material cut-off treaty. The sponsors strongly believe the Conference must take affirmative measures to prevent further delay at the beginning of next year's session for reasons unrelated to the merits of the treaty we have all agreed to negotiate.

In a procedural sense, the wording of our proposal takes account of an important idea that was suggested in 1998 by the distinguished Ambassador of Chile, in his capacity as Special Coordinator for improved and effective functioning of the Conference. At that time, Ambassador Illanes proposed that subordinate bodies should continue in being until their purposes have been fulfilled. Members of the Conference could not reach agreement on that as a general principle; but in view of the General Assembly resolution, the sponsors believe it should certainly apply to work of the FMCT Ad Hoc Committee.

In conclusion, the sponsors commend the proposal to members and ask them to give it active study and reflection. We hope the proposal will soon be the basis for general agreement, so the Conference can proceed with its paramount task: negotiating multilateral arms control and disarmament agreements for which consensus exists, while taking appropriate account of the capabilities, strengths, and experience of the Conference in conducting such negotiations and bringing them to a successful conclusion.

The PRESIDENT: I thank the representative of the United States of America for his statement and for the kind words addressed to the Chair. That concludes the list of speakers for today. Does any other delegation wish to take the floor? I give the floor to the representative of France.

Mr. DAHAN (France) (translated from French): Mr. President, as my delegation is speaking for the first time under your guidance, I wished to take the opportunity thus offered to me to convey to you our warmest congratulations on the occasion of your accession to the Chair of the Conference on Disarmament. You can count on the full support of the French delegation in leading our work.

Having reached the mid-point of the work of its 1999 session, the Conference on Disarmament has still not been able to adopt its programme of work and thus begin substantive negotiations on disarmament, which constitute its essential purpose.

I wished to speak today to support the proposed programme of work which has just been introduced to you by Ambassador Grey on behalf of the United States, the United Kingdom and France. The French delegation played an active part in the drafting of this proposal. The content of the draft which has just been communicated to you consists of elements which are familiar to the members of this Conference. It bears the stamp of continuity, pragmatism and openness. It draws to a great extent on the proposals made by the successive Presidents since the beginning of our work in January 1999. At the same time, it features two innovations.

As the first innovation, the draft is a point-by-point response to the requests for clarification made in the G21, inter alia, but also elsewhere, concerning the terms of reference for a mechanism for enhanced Presidential consultations on nuclear disarmament. This strengthened machinery is based on the following principles: transparency, regular reporting, open-ended consultations, establishment of an exchange of information and views.

As the second innovation, the proposal tries to place the reconstitution of the Ad Hoc Committee on the "cut-off" in a longer-term framework. It thus provides for the re-establishment of this Committee throughout successive negotiating sessions until the treaty is completed. The purpose of this formula is to affirm the political priority attached to the rapid initiation and the conclusion of the negotiations on the "cut-off" and to avoid the mistakes of the past.

I should like to recall that the Ambassador of Chile, as Special Coordinator on improvement of the functioning of the Conference on Disarmament, had proposed a formula of this type in 1998. My delegation supports that principle, though the arrangements for its application might be improved.

The French delegation's priorities are, I think, well known in this forum. Allow me to add that the proposal which has been presented to you today was drawn up in a spirit of compromise and hence only imperfectly meets

(Mr. Dahan, France)

the concerns of my delegation. I wished to say in that regard that France considers the establishment of the ad hoc committee on prevention of an arms race in outer space to be an important objective of our proceedings. But in this spirit of compromise, the French delegation will actively support the efforts of a special coordinator.

My delegation hopes that the spirit of compromise emanating from the proposed programme of work submitted today to the Conference on Disarmament will receive wide support. It is high time to get down to work. In one of the chapters of his work written in 1934 entitled Clochemerle, Gabriel Chevallier very aptly described the proceedings of the Conference on Disarmament between the two wars. One of his characters, the Prime Minister of a European country who was annoyed at not having been able to present his plan for disarmament, says: "Disarmament can wait. It has been waiting for 50,000 years." Now, more than half a century later, let us strive together to ensure that this sombre prediction is not borne out.

The PRESIDENT: I thank the representative of France for his statement and for the kind words to the Chair. I give the floor to the representative of Romania.

Mr. GRECU (Romania): My delegation fully supports the proposal just made by the distinguished Ambassador of the United States. We believe that if approved, this proposal could contribute to the launching of the substantive work of the Conference. The Romanian delegation would like to join in co-sponsoring this proposal.

Mr. MAIMESKUL (Ukraine): I will be very brief. I have asked for the floor to express the support of the Ukrainian delegation for the draft programme of work presented by Ambassador Grey of the United States of America.

Ms. BURTT (Australia): Since my delegation is speaking for the first time under your presidency, Sir, I would also just like to take the opportunity to congratulate you on your accession to the presidency and assure you of my delegation's full support for the short time you have remaining.

I shall be very brief as well. I would just like to express my delegation's support for the proposal just presented by Ambassador Grey of the United States on behalf of the United States, the United Kingdom and France. We believe it contains some very valuable additional elements and will therefore constitute a very useful contribution to our current efforts to establish a work programme for the Conference. Therefore, we would simply urge all delegations to give it serious consideration in the course of our deliberations.

The PRESIDENT: I thank the representative of Australia for her statement and for the kind words addressed to the Chair. I give the floor to the representative of Poland.

Mr. ORLINSKI (Poland): Since this is the first time I take the floor under your guidance, Mr. President, I congratulate you on your assumption of the presidency of the CD and the work you have done so far. To be brief, I wish to express the support of my delegation for the proposal presented by Ambassador Grey. My delegation thinks that in the spirit of compromise, this proposal will contribute to the attainment of early consensus on the programme of work of the Conference. We do agree that the Conference must take affirmative measures to prevent further delay at the beginning of next year's session for reasons unrelated to the merits of the treaty we have already agreed to negotiate.

The PRESIDENT: I thank the representative of Poland for his statement and the kind words he addressed to the Chair. I give the floor to the representative of Slovakia.

Mr. PETÓCZ (Slovakia): I would just like to express the support of my delegation for the proposal made by Ambassador Grey.

Mr. KESKINTEPE (Turkey): I have requested the floor this morning to express our support for the proposal tabled by the distinguished Ambassador of the United States on behalf of the United States, the United Kingdom and France. My delegation has carefully studied the proposal. In our view, the proposal and the new elements contained therein deserve the CD's best attention, and we also hope that it would lead the Conference to reach a compromise on the programme of work for 1999 at the earliest.

Mr. PIPERKOV (Bulgaria): On behalf of the Bulgarian delegation I would also like to join with those delegations who have supported the proposal of the three countries. We think that this proposal is a very good compromise and a very good basis for the work of our Conference.

The PRESIDENT: I thank the representative of Bulgaria. Does any other delegation wish to take the floor? That concludes the speakers for today.

Since this nearly brings to an end the term of my presidency, I should like to add a few closing remarks. My predecessors and I have concentrated all our efforts on the programme of work. You are aware that two points have prevented agreement on the programme of work so far, namely the appropriate mechanisms for dealing with nuclear disarmament and the prevention of an arms race in outer space. Despite the difficulties and the differences remaining among the groups, there are serious efforts from every corner to try to move toward agreement and enable the Conference to start its substantive work. From the Chair's point of view, I would like to say that those efforts should continue. Every proposal is welcome, and today we have had one. We would wish to see the consultations continue in an intensive way.

Before adjourning the meeting, I should like to thank you all for the cooperation and support you have extended to me during my presidency. There only remains for me to wish my successor in this function,

(The President)

Ambassador Mohamed Dembri of Algeria, all the best in his endeavours and assure him of my readiness to cooperate with him. I would also like to express my thanks to the secretariat, Mr. Petrovsky, Mr. Bensmail and the staff and the interpreters for the support given and without whom we could not have functioned in the way we have. Once again, I thank you very much for the kind assistance and cooperation.

The next plenary meeting of the Conference will be held on Thursday, 27 May at 10 a.m.

The meeting rose at 10.45 a.m.

CONFERENCE ON DISARMAMENT

CD/PV.825
27 May 1999

ENGLISH

FINAL RECORD OF THE EIGHT HUNDRED AND TWENTY-FIFTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 27 May 1999, at 10.20 a.m.

President: Mr. Mohamed-Salah Dembri (Algeria)

GE.99-61904 (E)

The PRESIDENT (translated from French): I declare open the 825th plenary meeting of the Conference on Disarmament.

First of all, on behalf of all of us, I would like to extend a cordial welcome to Mr. Stephen Gomersall, Director of International Security in the Foreign and Commonwealth Office of the United Kingdom of Great Britain and Northern Ireland, who will be addressing the Conference today. On my list of speakers for today I have the representatives of Ireland, the United Kingdom of Great Britain and Northern Ireland and China.

Allow me to make a few introductory remarks.

(continued in Arabic)

Algeria is honoured to preside over the Conference on Disarmament and knows that this honour confers upon its incumbent a major responsibility. All of us here know that our work for some time now has been taking place in a historic context which is open to factual and evolving realities that are interwoven and difficult to fathom. It also clearly reveals the lofty aspirations and the various obstacles which, from time to time, hamper the adoption of uniform approaches to universal issues. This means that our collective ingenuity is called upon to help to find appropriate solutions to challenges that we must face together and which, far from hampering our work, should stimulate initiative in this forum. Today, we must acknowledge that, after 12 weeks of work, that is, half of the session, and despite the early approval of our agenda, we have not been able to agree on a programme of work that would enable us to embark on negotiations and press on with our work. The praiseworthy and consistent efforts made by my predecessors, Ambassadors Grey of the United States, Cedeño of Venezuela and Binh of Viet Nam, whose personal commitment I wish to commend, were insufficient to preserve the CD from this anachronistic phenomenon of deadlock in its work, not because of the complexity of the negotiations but due to the fact that they have not begun. This situation, as we all know, is attributable not only to procedural reasons relating to our rules of procedure but also to deep-rooted political reasons and conflicting concepts of the parameters of international security.

(continued in French)

Consequently, it would be appropriate today, after 12 weeks of deliberations, discussions, consultations, to establish that, despite the absence of a programme of work midway through the present session, this intensive and necessary dialogue carries in itself the potential for a decisive breakthrough, if we acknowledge that three elements have fertilized our collective démarche:

Firstly, a necessarily more enhanced understanding by all delegations of each other's positions on all the items before the Conference on Disarmament.

(The President)

Secondly, an undoubtedly rich background documentation, comprising general or specific proposals on certain items, put forward by Presidents, delegations or groups of delegations - proposals which offer avenues, choices and options open to negotiation.

Thirdly, a recognized awareness of the urgent need for the Conference on Disarmament to devote itself without further ado to negotiating and conducting substantive work, thus fulfilling the mandate entrusted to it by the international community as the sole multilateral disarmament negotiating forum.

It is these to my mind positive factors that I shall strive to capitalize, tap and render productive. To this end, I shall of course need everyone's support, on which I already know I can count, as well as the sense of compromise of each of us, which also, I readily believe, will not be lacking. To this end, I shall use the most wide-ranging consultations, based on an open synthesis method, and I should like to assure all delegations here of the Chair's full and total availability for consultations.

This is why I intend to focus the efforts of the Chair on the following guidelines:

Firstly, to continue to pursue efforts on the basis of the progress and achievements recorded by my predecessors in the area of preparation for decision-making. These do exist, even if they have not been translated into practical results.

Secondly, to work without any prior assumptions on the alternatives, options and proposals put forward so far, in this tricky exercise of seeking consensus.

Thirdly, to base the consultations on the general tenor of any future decision we might take as well as the details of its drafting.

The Conference on Disarmament is acknowledged to be a receptacle towards which events and portentous trends that occur or take shape outside Geneva converge in order to influence it. Consequently, we must be mindful, for the purposes of the synthesis, the consistency of the approach, and an enlightened political reading, of the work accomplished at the last session of the United Nations Disarmament Commission, the third Preparatory Committee for the NPT, the Conference of Parties to the Ottawa Convention on anti-personnel mines, the status of the START process and developments related to the ABM Treaty, the prospects for the CTBT, the role of nuclear weapons on the eve of the third millennium, the content of strategic doctrines as well as the recent or ongoing conflicts, which, alas, remind us every day that mankind is not secure from wars and that it is far from having warded off the threat of apocalyptic conflicts.

All these elements assuredly have an impact on our work and on the Conference itself. Hence we must acknowledge that the Conference on Disarmament, because it is itself receptive to these developments, can in turn

(The President)

send out strong political signals to the international community, and it can do so only if it begins its work. It is this task which awaits us and which the Algerian presidency would like to pursue with all of you here, with your collective assistance.

I now call on the representative of Ireland, Ambassador Anderson.

Ms. ANDERSON (Ireland): Mr. President, it gives me great pleasure that, through an accident of circumstance, I am the first speaker to take the floor under your presidency. We are all very confident, knowing you well as we do, that yours will be a very determined and very purposeful presidency, and I wish you every success in the weeks ahead.

It is almost three years since the CD concluded the negotiation of the CTBT. Although a pause was inevitable after the traumatic ending of that negotiation, none of us envisaged that this body would remain becalmed for so long. During these three years, the strong post-cold-war impetus to negotiation in the CD, which had driven the Chemical Weapons Convention and CTBT negotiations, has gradually ebbed.

Internationally there have also been setbacks. START, the focal point of the nuclear disarmament process, has stalled. Strategic defence doctrines have been updated by new concepts which set out new rationales for the use of nuclear weapons. Long-standing arms control agreements, central to strategic balance and to the pursuit of nuclear disarmament, face uncertainties. Regional arms races, fuelled by the proliferation of advanced weapons technologies, have assumed a new dimension posing challenges to the global community. Two non-NPT States parties have proclaimed their nuclear status and sought to demonstrate it through nuclear testing and the launching of ballistic missiles.

Against this sombre background, the CD must consider its options. In practice, these options are limited. By default or by design, the CD is likely to find itself going down one of three paths. The first possibility is that the stalemate of the past three years will continue indefinitely. The second is that agreement will be forthcoming on a comprehensive work programme - a full package involving the inevitable share-out of satisfaction and sacrifice. The third option is agreement on a mini-package: getting down to work in areas where consensus exists and continuing consultations in areas where consensus has so far eluded us.

The first of these possibilities I mention only to dismiss it. The present stalemate simply cannot be allowed to continue - the opportunity cost to the international community is too high and the damage to the credibility of the CD is too great. The real political choice therefore lies between continuing to seek a comprehensive package or living with something more modest. We need to reflect on that choice.

(Ms. Anderson, Ireland)

Any attempt to situate ourselves must begin with the issue of nuclear disarmament. It has been clear for some time that the political question of the future approach to nuclear disarmament lies at the heart of our procedural difficulties.

United Nations General Assembly resolution 53/77 Y calls on the CD to establish an appropriate subsidiary body to deal with nuclear disarmament. The large majority of States voting in favour of this resolution demonstrates the strength of international support for such a body.

The title of the mechanism is ultimately irrelevant. What matters is its mandate and the scope this provides for dealing with substance. In our view, a CD mechanism on nuclear disarmament - whether an ad hoc committee, a working group or some other formation - should answer to certain criteria. It should allow for the comprehensive examination of the issues from a negotiating perspective. Work under the mechanism should contribute to the consideration of the future multilateral efforts which will be required to achieve the elimination of nuclear weapons. The operation of the mechanism should be flexible enough to permit the presentation and consideration of proposals, either new or existing, for future multilateral negotiations on nuclear disarmament with a view to achieving a consensus on the way forward.

There has been no shortage of proposals for the establishment of a mechanism. The South African and Canadian proposals point towards what we consider to be a balanced and reasonable way forward; our support for the South African proposal was clearly registered from the outset. The proposal presented by Belgium on behalf of five countries also warrants further exploration. It could form the basis for the establishment of a mechanism which at least would place the issue of nuclear disarmament within a formal CD context. Progress on the basis of this proposal depends on the extent to which there is flexibility in relation to its scope.

Notwithstanding our strong support for the establishment of a mechanism, we have to acknowledge current realities. The fact is that a small number of States, for reasons which in our view have never been satisfactorily explained to the CD, reject the establishment of a meaningful mechanism on nuclear disarmament in this body at this stage. Despite the cross-regional support for such a mechanism, despite the assurances that its deliberations on nuclear disarmament would not impinge on the bilateral nuclear disarmament process, despite the safeguards provided by the rule of consensus in the CD and despite a continual lowering of ambitions in relation to the scope of work on nuclear disarmament, a consensus has not so far proved attainable.

It is against this background that exploration has begun of enhancing the Troika mechanism agreed in 1998. Various possibilities suggest themselves here. More prescriptive language could be included in the mandate of the Troika. The Troika could for example be obliged to hold a number of open-ended informal meetings and to present a written report at the end of each part of the CD. There might also be a built-in review which would commit the CD to examining alternative mechanisms should there be no progress in the Troika's consultations.

(Ms. Anderson, Ireland)

We welcome the important proposal presented to us last week by the United States, United Kingdom and France and particularly the spirit of compromise it seeks to convey. It is a positive development that these three countries seek to foster such a dialogue in the CD. The proposal in our view is deserving of careful study. Perhaps, in consultations, some useful clarifications could be given. There are three points in particular which arise. Firstly, under this proposal, the CD presidency would, inter alia, consult on ways and means of establishing an exchange of information and views within the Conference on endeavours towards nuclear disarmament. Would the presidency also hold open-ended consultations on other nuclear disarmament proposals such as those of South Africa, Canada, Egypt and the G21?

Secondly, consultations on ways and means of establishing an exchange appears to imply "talks about talks" rather than "a dialogue on substantive endeavours". Could this proposal be amended to read simply "an exchange of information and views within the Conference on endeavours towards nuclear disarmament", thereby removing the procedural aspect of the discussion and going straight to substance?

Thirdly, the proposal implicitly gives two tasks to the Presidential Troika. The first is to have consultations on the establishment of an exchange of information and views. The second is to consult on methods and approaches for dealing with agenda item 1. Might the carrying out of this first task be seen as prejudging the outcome of the second task?

Clarification on these points would help to develop a dialogue around this proposal, which, as I have said, deserves our close attention.

It may be that, with further clarification and dialogue, it will prove possible to build on this latest proposal in a way which holds promise of meaningful progress. This could, however, take some time and it would seem difficult at this stage to predict the outcome. There will be an understandable emphasis on ensuring that there is substance to what is on offer. For our part, we are conscious of the importance of not risking the discussions on the handling of nuclear disarmament in the interest of securing an early overall package. This issue is of such central importance that the CD must make every effort to achieve a meaningful approach acceptable to all delegations.

If very early agreement is not forthcoming, we feel there is much to be said for launching negotiations on work in those areas where consensus already exists while continuing to seek consensus on the handling of nuclear disarmament in parallel.

Many delegations may feel that such an approach would not make negotiating sense; that it might help to bring about a situation where work went ahead in other areas whereas work on the priority issue of nuclear disarmament simply languished. While this risk cannot be ignored, a negotiating process is rarely without safety nets. Despite all our - rightful - disavowal of linkages, the reality facing us is that the overall negotiating climate in this body is and will remain conditioned by the extent

(Ms. Anderson, Ireland)

to which the nuclear disarmament agenda is being seriously addressed. In what kind of atmosphere would the Conference operate next year if there should be continued failure to reach consensus on addressing nuclear disarmament? And apart from the situation within the CD, there is also the wider context to consider. My delegation cedes to no one in recognizing the particular vocation of this body and in urging that it fulfil that vocation. The CD is undoubtedly the most appropriate body to initiate meaningful work on nuclear disarmament. But if the CD continues to show no sign of rising to the challenge, is it not likely that many delegations will conclude that work on nuclear disarmament should move to another forum which might hold out a better prospect of progress?

What are the other areas on which a clear consensus already exists and which could form components of a relatively modest package? There appear to be four such areas. First, fissile material negotiations. In August 1998 the CD agreed to establish an ad hoc committee to negotiate a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices. United Nations General Assembly resolution 53/77 I, adopted without a vote, called on the CD to re-establish this ad hoc committee "at the opening of its 1999 session". The conclusion must be that there is a CD consensus to establish this ad hoc committee and to embark on this negotiation. In our view the negotiation of a fissile material treaty, despite the relatively narrow scope of the Shannon mandate, will inevitably have to take into account wider issues relevant to the future path towards the elimination of nuclear weapons. In some respects, much of substance of the CD debate surrounding the establishment of a mechanism to deal with nuclear disarmament will arise in the fissile material negotiations. The proposed work programme presented by the United States, United Kingdom and France suggested that, in view of the United Nations consensus on the need for this negotiation, once established the ad hoc committee should not rely on an annual re-authorization but should remain in existence until its work is completed. In effect the proposal envisages decoupling the fissile material negotiation from the annual negotiation of the work programme through the automaticity clause in the decision establishing the ad hoc committee. We have considerable sympathy with the general principle that once a negotiation gets under way it should be let continue without the need for an annual decision to re-establish the ad hoc committee. Nationally, we see the attraction of the approach outlined by the three States last week. However, under the current conditions in the CD and given the deep-seated differences over the work programme, and in particular on the handling of nuclear disarmament, it might be preferable to resume discussion of this general principle under the guidance of the relevant Special Coordinator. To seek to attach the principle to one specific negotiation before its general acceptance and before amendments to the rules of procedure have been agreed may only ultimately serve to complicate or even delay the early resumption of work in the ad hoc committee.

Second, security assurances. The report of the ad hoc committee on security assurances established in 1998 recommended, by consensus, that the ad hoc committee should be re-established in 1999. While Ireland shares the

(Ms. Anderson, Ireland)

scepticism of some about the potential usefulness of work on this issue in this forum, there would appear to be a CD consensus to re-establish this committee.

Third, special coordinators on reform issues. Within the CD there is, so far as we can see, no opposition to the appointment of special coordinators on the review of the CD's agenda, its improved and efficient functioning and the expansion of its membership. I will revert in a moment to the proposal on the table for the admission of five new members.

Fourth, transparency in armaments. There would also appear to be a continuing consensus in the CD on the appointment of a special coordinator on transparency in armaments.

There are two further areas where the position is somewhat less clear-cut and I would like to comment on them briefly. On APLs, we are aware of the strong interest on the part of a large number of delegations in re-appointing a special coordinator on APLs. We have stated before that if work by the CD in this area serves to assist the universalization of the Ottawa Convention we would have no difficulty in going ahead.

On outer space, Ireland believes that the CD should embark on the negotiation of a convention on the non-weaponization of outer space as proposed by Canada. The mandate for an ad hoc committee proposed by China also deserves serious study. However we recognize that further consultations and discussions will be required before the CD can reach consensus on the negotiating mandate for an ad hoc committee. In 1998 the CD appointed a Special Coordinator "to seek the views of its members on the most appropriate way to deal with the questions related to this item". In view of the wide support for the launching of negotiations and the proposals which have been tabled in 1999, the mandate of the Special Coordinator should be adjusted to take these proposals into account. We look forward to the early agreement of the CD on the appointment of a Special Coordinator on outer space whose consultations should facilitate the early establishment of an ad hoc committee.

Finally, it is impossible that I should conclude without referring to the proposal in CD/1567 of 2 February to admit Ecuador, Ireland, Kazakhstan, Malaysia and Tunisia to the Conference.

This proposal is unfinished business from the efforts of the Special Coordinators on CD expansion in 1997 and 1998. At the end of the 1998 CD session the CD was, as one Ambassador accurately described it, "within a hair's breadth" of reaching consensus to admit these five new members. I cannot conceal our disappointment that this has not so far happened.

We know the public and private history of the delay. We are aware that the views of all of the five on all issues are not congenial to everyone. But we also know that the vast majority of the CD membership believes that the

(Ms. Anderson, Ireland)

CD should be an inclusive body in which all views are fully represented. This point was eloquently made by the distinguished former Ambassador of Pakistan in his valedictory statement to the CD in March 1995, when he said:

> "... It does not matter if there are differences of opinion here; difference of opinion is the essence of democracy. We all learn from the opinions of others, and it is in adjusting to the opinions of others that we do not weaken ourselves individually but we strengthen ourselves collectively".

As the CD begins further efforts to launch work in 1999, it is our strong hope that an agreement on the CD's work will be accompanied by a decision to admit the five. In this way the CD would recognize the outcome of the intensive work on expansion undertaken in 1997 and 1998. It would simultaneously agree on the appointment of a new Special Coordinator to undertake consultations on the future expansion of the CD, after the admission of the five. Any other approach would be extraordinarily difficult for us to comprehend.

Over the past two years my delegation might have been tempted to abandon our interest in CD membership in the face of a succession of obstacles. We take inspiration from the great Indian poet Tagore who, describing the international aspirations of his own country, spoke of a world which "has not been broken into fragments by narrow domestic walls ... where the clear stream of reason has not lost its way into the dreary desert of dead habit".

There is a resonance to these words. We refuse to believe that the CD has irretrievably lost its way into "the dreary desert of dead habit". We hold to our conviction that reason and generosity of spirit will prevail and that our membership of this body will very shortly become a reality.

The PRESIDENT (translated from French): I thank the representative of Ireland for her statement and for the kind words addressed to the Chair. I now call on the Director of International Security in the United Kingdom Foreign and Commonwealth Office, Mr. Gomersall, to make his statement.

Mr. GOMERSALL (United Kingdom of Great Britain and Northern Ireland): Mr. President, it is a great honour for me to address this Conference, and may I begin by thanking you for your welcome and extending to you, on behalf of the United Kingdom delegation, our warmest congratulations on your assumption of the CD presidency? Let me assure you of the fullest support and cooperation of this delegation as you undertake this vital role at this particularly challenging time.

I would like to take this opportunity to set out briefly the United Kingdom's current priorities in the field of non-proliferation and disarmament. But before doing so I should like to say a word about the Conference's work programme.

(Mr. Gomersall, United Kingdom)

Let me record, in the strongest terms, the serious disappointment and regret of the United Kingdom that the Conference finds itself still without a work programme for 1999 and facing the prospect of a third unproductive, wasted year.

It is particularly hard to understand this when last summer, after many months of painstaking consultations, the Conference struck a compromise which enabled it to make a start on substantive work. But at the beginning of this year, this carefully wrought compromise was discarded and the wrangling began all over again. The United Kingdom remains at a loss to understand what occurred between the ending of last year's session and the start of this year's session to explain this extraordinary leap backwards.

We also regret that the Conference has also failed to agree on any further expansion of its membership. The United Kingdom continues to support the admission of all applicants as soon as possible.

Nonetheless, the United Kingdom has sought to engage constructively to rebuild the consensus which has been so carelessly thrown away. We have been, and we remain, prepared to give serious consideration to any proposal which will bring this about. We have listened carefully to the concerns of other delegations and studied seriously their proposals. Having done so, and in the apparent absence of any other proposal which seemed likely to offer a realistic prospect of attracting consensus, we joined with the United States and France to put forward a package, contained in CD/1586.

I will not repeat the arguments in favour of this approach, which were set out by the distinguished Ambassador of the United States when he introduced this proposal here last week. Let me simply urge delegations to give it serious consideration. We believe that our joint proposal offers a balanced, realistic and practical way forward. We are ready to discuss the details in a spirit of compromise. It is well past time for this Conference to get down to work.

As I said at the outset, I would now like to set out the United Kingdom's main priorities, for the CD and beyond.

First, the fissile material cut-off treaty (FMCT). In case there are any who still doubt it, let me reaffirm once again the United Kingdom's commitment to the immediate start and early conclusion of FMCT negotiations.

The most shameful aspect of the Conference's performance this year is its failure to respond to the consensus call of the United Nations General Assembly last year, in resolution 53/77 I, for negotiations on an FMCT. The nuclear-weapons States are regularly accused of putting obstacles in the path of progress on nuclear disarmament. But in this case, the obstacles are plainly not of our making.

(Mr. Comersall, United Kingdom)

It is not my intention now to set out the United Kingdom position on the key substantive aspects of an FMCT. We await only the first meeting of an ad hoc committee in order to do so. We continue to hope that we will be able to set it out soon in such a setting.

But, since it still seems to be in question, let me repeat once again what we see as the important benefits which an FMCT would deliver to the international community. In doing so, let me also be clear that I am referring here to a treaty based on the Shannon mandate, which has been faithfully reflected in the General Assembly resolution, which would ban the production of fissile material for nuclear weapons or other nuclear explosive devices.

Such a treaty will put a worldwide, verifiable and legally binding end to such production. Some argue that this is useless as the nuclear-weapons States already have stocks so large that they do not need any more. There are three reasons why such arguments are wrong. First, only some of the States capable of producing such fissile material have announced that they have ended production. At least some of the others, it may be inferred, are still producing it. Further proliferation is still a real threat. As long as we are without an FMCT, such production and proliferation can continue. Second, those States which have stopped production have announced only voluntary ends to production. These need to be locked into place by legally binding commitments, while consensus exists to do so. Without an FMCT, production could resume if circumstances changed. Third, the ending of production currently in effect in a number of States is, for the most part, unverified. Only an effectively verifiable FMCT can provide real confidence that production has indeed ceased.

It is also argued that an FMCT which bans only future production of fissile material will not contribute to nuclear disarmament. This is patently not true. A production cut-off is an important and essential step. It is clearly not the last step. But to refuse to start FMCT negotiations unless negotiations on nuclear disarmament begin in parallel is self-defeating. And the negotiation of such a treaty was of course one of the key decisions taken at the 1995 NPT Review and Extension Conference.

Before there can be an effective worldwide verifiable ban on all nuclear weapons, there has to be confidence that no new fissile material for such weapons can be produced. This is what an FMCT would establish. In doing so, it would generate a climate conducive to forward progress towards the goal of the elimination of all nuclear weapons, as well as offering a stabilizing influence in otherwise unstable regions.

An effective FMCT will put in place an essential foundation for the achievement of global nuclear disarmament. Adding linkages or trying to expand the scope of the treaty can only serve to set back the cause of nuclear disarmament, not to promote it. The United Nations General Assembly, by consensus, has recognized this and called upon the CD to get down to work, and this Conference should heed that call.

(Mr. Gomersall, United Kingdom)

May I now turn to nuclear non-proliferation and disarmament more broadly? Last July, the United Kingdom announced the results of the Strategic Defence Review, which included significant further reductions in our nuclear forces. The main elements were set out for the Conference by our Ambassador, Ian Soutar, in a statement here on 30 July 1998 and have been widely welcomed.

I will not repeat these again now except for one point, which still seems to be called into question: the United Kingdom is committed to the goal of nuclear disarmament and has made clear that, when satisfied with progress towards this, it will ensure that our remaining nuclear weapons are included in multilateral negotiations. To this end, we welcome the steps being taken by some of the other nuclear-weapons States and, in particular, we look for the early ratification of START II and the commencement of negotiations on START III.

We also look for the early entry into force of the Comprehensive Nuclear Test-Ban Treaty and hope that the Article XIV Conference to be held later this year will promote that objective. It is a matter of regret that while 152 States have signed the CTBT, only 32 have thus far ratified it. We call upon all States, especially those of the 44 States whose ratification is needed for the treaty to enter into force, to take action as soon as possible. We call in particular on India and Pakistan to sign and ratify the CTBT, and to take the other steps called for in Security Council resolution 1172.

Some progress was made at the recent NPT PrepCom meeting on arrangements for next year's Review Conference. Obviously, we would have wished to have seen the PrepCom make recommendations on substantive issues, but sadly this was not possible despite the positive role played by Ambassador Reyes in what were trying circumstances. We are now taking stock of the outcome of the PrepCom, but firmly intend to do everything we can in the coming months to ensure that next year's Review Conference is a success.

On the subject of conventional weapons, in the same way that we look for progress in the nuclear field, the United Kingdom would like to see the CD take forward work on a number of conventional disarmament issues. Conventional arms - anti-personnel landmines, small arms and light weapons in particular - are without doubt the real killers of today, responsible for the deaths of countless hundreds of thousands of people, many of them civilians, women and children. This Conference has a real opportunity to make a tangible difference in this field and, in so doing, go some way towards halting this cruel and pointless waste of life.

Nowhere is that opportunity more evident than in the case of anti-personnel landmines. The CD is in a prime position to help strengthen existing international instruments against the use, production and export of anti-personnel landmines. The negotiation of a ban on the transfer of anti-personnel landmines would, we believe, have the important advantage of bringing a number of countries who have yet to accede to the Ottawa Convention and other legally binding instruments a few vital steps closer towards the

(Mr. Somersall, United Kingdom)

ultimate goal of a total anti-personnel landmine ban. The United Kingdom therefore firmly supports the establishment of an ad hoc committee to begin negotiation of such a ban.

Regrettably, however, we recognize that the establishment of an ad hoc committee appears, for the time being at least, to be out of reach. We have consequently supported calls for the reappointment of a special coordinator on anti-personnel landmines. The United Kingdom sincerely hopes that such a modest goal is attainable.

Many of you have just taken part in a preparatory meeting to lay the groundwork for the first annual conference of States parties to amended Protocol II to the Convention on Certain Conventional Weapons, which will be held here in December. In the same way that we urge action on a transfer ban, the United Kingdom will support efforts to expand the limited transfer ban contained in the amended Protocol II.

Needless to say, the United Kingdom remains firmly committed to the Ottawa Convention and to action to reinforce the obligations contained therein. In line with decisions taken recently in Maputo at the First Meeting of States Parties to the Convention, we look forward to co-chairing the Standing Committee on Mine Clearance here in Geneva in a few months' time. We will encourage participation by as wide a number of States as possible.

By supporting a range of complementary activities on APLs the United Kingdom aims to encourage comprehensive and rapid progress towards our ultimate goal - a world free of these weapons. We see clear benefits in pursuing work across the spectrum: there should be no exclusivity. We hope others agree with this.

In the same vein that we urge the CD to undertake work on APLs, the United Kingdom also fully supports the reappointment of a special coordinator - in the absence of an ad hoc committee - on transparency in armaments.

On combating the proliferation of small arms and light weapons, the United Kingdom's track record speaks, I hope, for itself. We have worked, and continue to work, vigorously in appropriate forums to prevent the illicit trafficking of small arms, and to ensure the removal and, where possible, destruction of surplus weapons from affected societies. The United Kingdom is committed to a responsible and transparent policy on legal transfers of small arms. We would commend to all gathered here the EU's Joint Action - which continues to attract support beyond the shores of Europe - and, of course, its Code of Conduct on Arms Exports. Be assured that the United Kingdom stands ready to consider other international initiatives and to extend assistance to affected countries.

Finally, let me take this opportunity to emphasize the importance which the United Kingdom attaches to the early, successful conclusion of an effective protocol to strengthen the Biological and Toxin Weapons Convention.

(Mr. Gomersall, United Kingdom)

The threat to global and regional security posed by biological weapons is real and has been graphically demonstrated by revelations in Iraq over the last few years. Strong and urgent international action is needed to strengthen the ban on these weapons, in particular by providing effective means of verification. We believe that this is possible and it is now a matter of political will to overcome the remaining essentially political obstacles.

The United Kingdom considers that negotiations on this protocol should continue to be a high priority for the international community this year. To this end, we are committed actively to promote and support the work of the Ad Hoc Group, with a view to achieving substantive progress by the end of 1999, so that the protocol can be adopted and opened for signature next year. We have already offered to host the signing ceremony in London next summer and eagerly look forward to doing so.

In conclusion, I hope that the set of priorities which I have just set out demonstrates at least two things. First, that the United Kingdom is firmly committed to playing its full part in national, regional and international efforts to promote non-proliferation and disarmament. Secondly, that the outstanding agenda of pressing issues in the CD needs to be addressed urgently. This Conference has been charged with the heavy responsibility, in the interests of strengthening international peace and security, of making real progress on these issues. The stakes are too high for the Conference to delay any longer before delivering on its mandate.

The PRESIDENT (translated from French): I thank the representative of the United Kingdom for his statement and the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Li Changhe.

Mr. LI (China) (translated from Chinese): Mr. President, on behalf of the Chinese delegation and in my own name, I would like to congratulate you most warmly on your assumption of the presidency of the Conference on Disarmament (CD). We are quite confident that your outstanding diplomatic skills, rich experiences and in-depth understanding of the work of the CD would benefit the CD greatly. In discharging the important task of the CD presidency, you can rest assured of the full cooperation of my delegation. I would also like to take this opportunity to pay tribute to your predecessor Ambassador Mr. Nguyen Quy Binh of Viet Nam, and extend our thanks and appreciation for his tireless efforts in pushing the CD forward. But fundamentally speaking, the ability of the CD to make substantive progress is closely related to the international peace and security situation which has a direct bearing on disarmament affairs. It also depends on concerted efforts by all the CD members while taking into account each other's concerns and demonstrating necessary flexibilities.

The CD has entered the 13th week of this year's session. However, we have not yet been able to agree on the programme of work because of the divergent views on the two agenda items, namely "Nuclear Disarmament"

(Mr. Li, China)

and "Prevention of an Arms Race in Outer Space" (PAROS). The impasse on this procedural matter reflects the profound divergence over substantive issues among relevant countries or country groups. The Chinese delegation, while finding the situation deeply regrettable and worrisome, has given some thought to the reasons underlining the situation and possible ways out of it. Today, I would like to share with colleagues some of the perspectives of my delegation.

I would like to stress that, the developments in recent years, especially since the beginning of this year, which are detrimental to the international peace and security, have exerted grave and negative impact on the disarmament process.

Just as we cannot breathe in vacuum, the work of the CD cannot be isolated from the overall international security environment. The disarmament process is closely related to international peace and the security interests of all countries. They are interactive and mutually promoting.

During the cold war, the arms race kept on escalating and it was impossible to make any major progress in disarmament. In the wake of the cold war and the ending of confrontations between the two military blocs, the relations between the major Powers eased. All peace-loving countries, including China, fervently hoped that our planet could be free from the nightmares of both "cold war" and "hot war", and continuous progress in disarmament could be made in a healthy international security environment, thus promoting international peace and security and as the economic and social development of all countries so that the world in the twenty-first century might be one of peace, development and common prosperity for mankind.

Against this backdrop, the international arms control and disarmament process has been offered an unprecedented "window of opportunity". Thanks to the efforts and cooperation of all parties, particularly with widespread support among the developing countries, some major achievements have been notched up, such as the conclusion of the CWC in 1992, the signing of the START II by US and Russia in 1993, the indefinite extension of the NPT in 1995, the commencement of the negotiations of the Protocol to strengthen the BWC, the conclusion of the CTBT, and the amended Landmine Protocol of the CCW, in 1996.

The CD played an important and unforgettable role in negotiating and concluding the CWC and the CTBT.

It was against this historical background that the UNGA adopted the resolution on FMCT under which the CD established an Ad Hoc Committee in 1995.

After the conclusion of the CTBT, it had been expected that negotiations on FMCT would commence and progress could be made on other important disarmament issues as well, especially on nuclear disarmament.

(Mr. Li, China)

It had also been expected that progress in disarmament would be conducive to a further easing of the international situation, promoting world peace and further enhancing all countries' security environments and that a favourable international environment would in turn promote progress on disarmament, thus creating a virtuous circle.

Unfortunately, the improvement in world peace and security has not kept pace as expected. Dark clouds have gathered after a brief spell of sunshine. In recent years, particularly this year, disturbing developments in the international arena, like darkening clouds, have overshadowed the peace and disarmament process.

Just as President Jiang Zemin of China pointed out in his statement at the CD plenary on 26 March, while there are positive factors which are conducive to the relaxation of the global situation and peace and development, there still exist some negative elements which cannot be ignored, i.e. the cold war mentality still lingers on and power politics manifest themselves from time to time; the tendency toward closer military alliance is on the rise; new forms of "gunboat policy" are rampant.

This concise but comprehensive statement of President Jiang has been corroborated by the developments in the past two months. I am referring to the wanton bombing of Yugoslavia by the Military Alliance led by one super-Power. Over 1,000 military aircraft have been used in air strikes, tens of thousands tons of bombs have been dropped, and thousands of missiles launched at one small country. New types of weapons with mass killing capacity, including cluster bombs and radioactive depleted uranium projectiles have been used. Many civilian facilities, such as hospitals, schools, bridges, railways, roads, airports, power plants and TV stations have been hit and destroyed, causing thousands of civilian casualties and rendering nearly a million refugees homeless. Chemical plants, fertilizer factories and oil refinery plants have been attacked, causing the leakage of toxic chemicals and resulting in serious ecological disasters and threatening the lives and health of people in Yugoslavia and neighbouring countries.

This is flagrant military intervention against a sovereign State. It not only undermines peace in the Balkans but also upsets the tranquillity of the world. Even the Chinese Embassy in Belgrade has been bombed, grossly violating international law and the norms governing international relations.

This military bloc, a typical product of the cold war, did not disappear from the world scene with the end of the cold war, but has been further expanded. Moreover, while carrying on the air strike against Yugoslavia, this bloc has declared a "New Strategic Concept", transforming itself from a defensive military organization to a military one of offensive nature which can extend its military operations to areas beyond its borders and use military force without United Nations authorization. Its attack on Yugoslavia in disregard of the United Nations is thus a "trial run" for its "new strategic concept". Plainly, if such perverse acts continue, the

(Mr. Li, China)

international community will see more such military interventions and attacks against countries which assert their sovereignty and oppose hegemonism and power politics. If that is the case, the norms governing international relations and the security framework based on the United Nations Charter, which was established after the Anti-Fascism War, will be seriously undermined.

Under such circumstances, countries outside military alliances will be deprived of basic security, so how can we anticipate any progress in the field of arms control and disarmament? If the many small and weak countries are pushed to the wall, how can they be convinced to support international non-proliferation regimes?

It is more than clear that the practice of hegemonism, power politics and "gunboat diplomacy" is not only positively harmful to world peace and development, but also directly undermines or even reverses the international arms control and disarmament process. This is not a prospect that the international community, including China, wishes to see. However, this is the reality we are confronted with. Whether the "window of opportunity" that opened in the 1990s is to close depends on whether the countries concerned change their course and abide by the United Nations Charter and basic norms governing international relations, respecting all countries' sovereignty and territorial integrity, and doing away with hegemonism, power politics and "gunboat diplomacy". The world is watching.

Secondly, I would like to touch upon the basic concepts to be observed in the international disarmament process. This is also an important factor affecting the progress of work in the CD. In his statement at the CD plenary on 26 March, President Jiang Zemin pointed out that the aim of disarmament is to increase security, and security must be for all countries to enjoy. Disarmament should not become a tool for stronger nations to control weaker ones, still less should it be an instrument for a handful of countries to optimize their armaments in order to seek unilateral superiority in security. To reduce others' arsenals while keeping one's own intact, to reduce the obsolete while developing the state-of-the-art, or even to sacrifice the security of others for one's own security, all these run counter to the fundamental purposes and objectives of disarmament.

China has always held that only just, reasonable and balanced international arms control and disarmament can genuinely promote global peace, security and stability. However, some countries try by innumerable means to limit and reduce other States' weaponry under the cover of arms control, disarmament and non-proliferation while at the same time they never cease to arm themselves with more advanced military technology and equipment, and interfere in other nation's internal affairs and sovereignty by increasingly violent and ruthless military means. On one hand, they exaggerate so-called "missile threats" from developing countries as a pretext for developing their missile defence systems; on the other hand they launch their most advanced missiles at developing countries.

(Mr. Li, China)

Currently, the significant divergence in the positions of CD members on these two agenda items, "Nuclear Disarmament" and PAROS, reflects the different stands of various countries on the objectives and purposes of disarmament.

Everyone supports the re-establishment of an ad hoc committee to negotiate FMCT, so as to promote nuclear disarmament and non-proliferation. At the same time, many member States are of the view that the CD should also take action on Nuclear Disarmament and PAROS by establishing the necessary working mechanisms, such as an ad hoc committee or working group, with appropriate mandates. It is regrettable that up to now this just and reasonable demand has been ignored by some countries, and that, in particular, only one delegation opposes the re-establishment of the Ad Hoc Committee on PAROS.

Many delegations, including the Chinese delegation, believe that the importance of nuclear disarmament and PAROS is no less than that of FMCT. At the beginning of this year, one country breached an existing arms control treaty by announcing its decision to accelerate the research and development of missile defence systems, and to extend its weapon systems into outer space. The aim of such a programme is to seek absolute military dominance. It will certainly have a negative impact on the bilateral and multilateral nuclear disarmament processes, and on global strategic security and stability in the twenty-first century as well. This makes the CD's deliberation on PAROS ever more relevant and pressing.

To sum up, the agenda items of "Nuclear Disarmament", NSA, FMCT and PAROS are interrelated and should be addressed as a whole. Singling out any one item while excluding the others is unjustified and unhelpful.

My delegation reiterates that the CD should re-establish the Ad Hoc Committee on PAROS. Progress in this area, just like progress on a working mechanism for nuclear disarmament, will be conducive to progress in formulating an integrated work programme acceptable to all. It is the sincere hope of the Chinese delegation that matters will take a favourable turn during the second half of the 1999 session.

The PRESIDENT (translated from French): I thank the representative of China for his statement and the kind words he addressed to me. We have come to the end of the list of speakers. Would any other delegations like to take the floor at this stage?

As you know, I have already started a process of intensive consultation in order to produce a consensus on the work programme of the Conference, on the basis of all the proposals that have been presented individually by delegations or by groups of delegations. We are all aware that agreement on the programme of work calls for the devising of a balanced compromise with regard to appropriate mechanisms to address the issue of nuclear disarmament and the prevention of an arms race in space. This is why I shall endeavour, over the coming days, to seek formulas that are acceptable to all delegations,

(The President)

which I hope will enable us to start on our substantive work without further delay. In that regard, I would like once again to seek your assistance, to ask for your help, and to be able to count on the support and the flexibility of all delegations so that this task, which is difficult in itself, will lead us to something that will enable us to make headway and help the Conference progress if agreement is in sight. This morning we have heard words of anxiety, concern at the fact that our work has not commenced yet, and this is a matter of our collective responsibility.

The next plenary meeting of the Conference will be held on Thursday, 3 June at 10 a.m.

The meeting rose at 11.30 a.m.